CIBRARY FUNDES COURT IN

TRANSCRIPT OF RECURD

Supreme Court of the United States

COTONIA SHEET INC.

No. 31

PETITIONER

VIRGINIA, EX REL VIRGINIA STATE BAR.

OF THE COURT OF THE STREET OF APPLACE

PRITTION FOR CHITTONAMI STAND TOTALD S, 1941 CHITTONAMI GRANTED FRANCISTY 18, 1943

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1963

No. 34

BROTHERHOOD OF RAILROAD TRAINMEN, PETITIONER,

vs.

VIRGINIA, EX REL. VIRGINIA STATE BAR.

ON WRIT OF CERTIORARI TO THE SUPREME COURT OF APPEALS
OF THE COMMONWEALTH OF VIRGINIA

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1 .			7.

(far 1958 Salaris)

april 9. Hensler Header

29 C. Hildebrand

27 C. Heldebrand

36

14 Henslee + Henslee (Hensle , Monte + Minay)

2499 the Santis # 846 (Durin cont Dow Cyp)

29 M.g. Stack = 913 (Duna cont. Due cop)

29 A. A. Schwindy # 102 (Brat Cont (Su Exp) 29 9. M. Polenaky # 98 (Rewling Cont - Das Cop)

20 L.a. Bitmon 133 (Bacolingo Cont. In Cup)

8. E.B. Kensle, Setock of, (C.C. Moore 1958 Vacation)

FORM C 10.Q

1959

gon 5 C. Heldebrand

12. C. Rawlings 12. D. M. Stynn

30 C. Nillitrand

		FLAN	IFP'S CHASE EXHIBIT "F"	
C 10 Q	1959			
1	gen 5 C. Hildebrind			
20	5. A.D. Brandon			196126
. 3	. 12. C. Rawlings		+25 4	2508.
4.	12. D. M. Slynn			123626
. 1 5	21 Heneli + Henela (far 1958 Salares)		10.1	975-
6	30 C. Nilskhand			586818
. 7				106826
. 8	Let. 3 A.D. Brandon .			
	9 8. a. Frat		7 45	225-
10	11. C. Rawlings			38003
11	16 E.a. Perat			124326
. 12	26 E. B. Heneke, Catalo of, (owed from 1958)			38413
13	27 C. Hildebrand			146539
14			M	106476
15 7	Mar 3 A.D. Brandon			
16	9 1. Savage		7.85	225-
17	2. E. a. Berat			152952
18	13 Henele + Kenslee (Busslee , Mond - Burray) -			38238
a 19	13. Hensley Hensle & Kindle, Month , Burney)			278552
.20	13. C. Rawlingo			145226
, 21	16. D. M. dlym			123976
22	30 C. N. W. band:		â°	950-
23	30 R.C. Hrille (Hatirany e office surplies)			106476
24				575
25 6	wel 9. Hensliet Hensle			
26	14 Hensley Hensley (Hensly march & march	1.		311626
27	20 d. U. Stellman 133 (Sawling Cont. In Pup)			145246
. 28	2499 the Sentist SHE (Burn cont : Dow Cyp)		•	1000 -
29	A.C. Mildibrand	8		1000-
30	29 M.g. Stack = 913 (Dune cat our cyp)		F 1	100476
. 31				500-
32 7	104 8 & B. Kenelu, Setat of , (QC Moore 1958 Vacation):	1	
33	and the property of the second			41425 3
34	28 A.A. Schwinds # 102 (Brat Cost (Dusca)		9	750-03
35	29 9. M. Polencky 18 (Rending Cout - See Cap)			250- 3
36	8	- 2/2:8		049437 3

CASH RECEIVED

1959		Ral Reb freuend TO 49457
war I C. Heldel	and the state of t	11944
	, Cetate of CTP Hallegan 1958 Vacation)	34540
18 Ramey, G	new Classe	2090 -
AD. M. H		7500-
29 C. Heldele		5m-
	(Catalog - (E D Howarth 1958 Vacation)	34521
29 Hereles b	note (Hember, Month a Marray)	4060-
29 J. Danelle	# 1090 (Belenko + Celand cont) In Cyp	250 -
7-7-		
ale 1 yarger + 4	beautiful and the second of th	3480-
14 Lelvis + a		171450
	# 959 (Belenko , Citeral Cont . Dan Cry)	150-
	new # 1069 (Zelenho , Celend Cont - Inv Eno)	250-
A CONTRACTOR OF THE CONTRACTOR	-00 = 1050 (Rum Cont Su Car)	1 1000 -
	n# 598 1 Filenko + Cekind Cont (Dni Exp)	100-
	one # 959 (Zelenko . Elfend Cont - Som Eye)	100-
	# 946 (Belinko , Chaind cont Dow Cyo)	200-
	chill # 517 (Zelenku+ Elkend Cont Ini Eup)	100-
	n# 413 (Dunn Cont - In Eup)	/ / / / / / / / / / / / / / / / / / / /
	el = 098 (Zelinko + Elkend Cont : In Egg)	100-
	= 959 (Jelento , Claired Corst Die Cop)	1.00-
29 C. Heldebry	of the special of the second	884-
at L. Access		
- 1 11	wil wil Pront Ch. L. S. Cal	750-
	= 100 (Merat Cont Dow Cap)	150-
	= 1015 (Serat Cont - One CHP)	
	174 (Mendie YH Drie Cop)	763757
une 30 Husler A	· I	3121-
gut 10 gards, ba		1 0 300-
10000		
19 B.M. Java	121 121 1 80h 1 1 - + 0 . C.)	///
21 c.g. Jost		10.1
11 - 8 1. G. lacons	Dane : com at our ap)	901
11 - A . A		
11 9 a Straw		400
11 10. zuch	T 1997 - The Third (mit . The Exp.)	1 13 -

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FORM C 19 Q
          Lest 21 Potent Suchanason ( Jelestor Elbind Cont In Go)
              24 June Brande # 94 (3+ C. Cont - Daw . Exp
               24. Zelinto + Elkind (for Supplies ordered through LAD)
               25 M. Frandenberg + 877 ( 4 4 Cost - In Esp)
              25. D. D. Limense = 141 (4, y. Cont In Gys)
               28 9. 8. Menthy = 1047
                                      (2+ E Cont - IN (4)
                                      ( Dune Cont. Ins Esp)
               28.9 . F. Buther # 705
               30C. Heldebrand
               30 Irack Streets + 623 (21 E cont Dow Exp)
               519 J. Haga # 944
                                       (444 Cont In Exp)
               5, C. S. Ginsen # 384
                                       ( 4 y cont on Cop)
               5 L. L. Jones # 183 (4, y Cont In Exp)
5 Emil Malped # 562 (4, y Cont In Exp)
5 ME. Proposed # 436 (4, y Cont In Exp)
               5 L. L. Done # 183
        15
               5 g. m. whenith myss ( yny Bont - In Exp)
               5 Q.C. Zum # 638
                                         (gry cont sia Exp)
               5CT Furlone # 961
                                        (2+ F Cont on Exp)
               5 N. J. Ryon, L. # 1069 (2 + E cont ( Inv Exp)
               50.40. Floming # 197 (ZYE Cont Inverse)
        21
               8 C. L. La Doundy # 598 ( Z+ E Cont Sow Cap)
               8 2 lebeny # 1090 (Z+ & Cont : Co)
               12 C.9 Lallagher # 51. (2. E Cort Instop)
               19 S.J. Zobrawske # 143 ( Bunn Cost Invigo)
        25
               19. M. w. Bediev & 1069 (2+ E cont - Ins 640)
               a 1 T. M. Quane $ 755 ( Z+ E Cont . Ind Ex)
               26. 9.9. ameline # 698 (2+ E cont In Exp)
               30 C. Hildebrand
               30 Oracly, Panerny a strongel Se Hebragha
           Mov 2 . J. W. Olistinan = 133 (Rawling Cont Jor Cxf)
                9 9. Beligg # 1069
                                      (Z+ E. Cont ( Sw Ego)
                9 Irent them # 678
                                    (Z+ F Contract (2) - In Exp)
        34
               11 C.P. Lewi + 1009 ( 7 + F. cont Di Exp)
```

12 A. Bogan # 598 . (2+ F cond - Dan Cyp)

1959	
Lest 21 Robert Shadar = 1009 (Zelester Ellend Cont dur Go)	3 100
24 June Brande " Per (go & Cont Dow Exp)	100
24 Zelinto + Elkend (for Supplies ordered through LAO)	55
25 M. Frandenberg + 877 (4. 4. Cont - Inv Exp)	30
25. D. D. Lemence # 191 (4 . 4. Cont Inv Ego)	300
25 (A. E. Chaiple 151 (4 4 Cod . Sweep)	933
28 9. E. Munphy = 1047 (2 + F Cont - In Ca)	/3
29 9 A Better 705 (Dume Cont Ino Cap)	V 50
3dC. Kelekhand	984
30 Level Streets + 623 (21 E Cont Sin Cap)	15
Oct 5' 9. J. Haga # 944 (4.4 cont In Exp)	300
5, C. S. Jensen # 384 (4. y Cont - Sou Cop)	300
5 2 1 your # 183 (yoy cont in cro)	300
5 Emil Malack # 562 (4) Cont Jay Eus)	300
5 ME. Proposed = 436 19 y Cont In Exp.	300
5 g. M. Wherett # 445 (gry Cont. In Exp)	300
5 G.C. Zein & Got Ont Inv Exp)	300
5CT Furlong # 961. (2 + F Cont Sur Exp)	250
5 N. J. Rejan, X: # 1069 (2 + E cont (Sin Exc)	100
59.10. I Soming # 197 (Z+5 Cont Inverse)	700
8 C. L. dal Dounds # 598 (Z+E Cont Dow Cap)	100
. 8 2 Irhung # \$ 090 (Z. F. Cont. De Co)	150
12 6.9 Lallagher SM (2.5 Cort Souty)	250
A. S.J. Zobrawske W3 (Bunn Cort Snowly)	250
19. M. w. Bules of 1069 (2+ E Cont - Dad Gyp)	./02
al T.M. Quane # 755 (Z+ E Cont Dnd Gp)	100
26. 9.9. ancelmen 618 (2+ 1 cont Inv END)	1.00
30°C Heldebrand	884
30 andy, Paning a Hongel (Se Bebracka)	304
Mor 2 . S. W. dietiner = 133 (Raving Cont Invare)	900
9 9 Belegge NG9 12+ E cont (In Exp)	100
9 Land How # 678 (Z+ F Contracts (2) - In Exp)	
11 C.P. Seis + 1009 (2+F cont Du Esp)	200
12 N Boyer # 598 (2+ F Cont . Dans Cyp)	100
	150

	0		
nov 19 C. 9 mi Neel ws12	(Sne Eps - Hindle + N Cont)		200 - 1
19 9 t. Sum # 961	(Qui Cap - Z = F cont)		100- 2
20 9.9. Sranit # 552	(One Eye 2+E cont)		/00-3
23 goupt 1. Jamy # 97.	(200 Sep)		11550
23 Carl Brockerseen #5	THE (Spe Cap) - Za E Cout)		1 100 - 5.
21 99 Neddler 413	(In Esp) Sum cont) .	40	1 1000 - 6
24 99 Slattery = 227	(Dwego - Z+ F cont)	63	100- 7
4			8
Dec 1 Clifton relationed	A The state of the		884- 9
2 Knath & John + 89	(Sou Cop Hensler . N Cont		200 - 10
3. Farrays Homey		Rinew -# 668)	19879 11
4 Romey + Romey	(In Exp many loaned to ma	thelliper == == "	5680 12
7-29-Jon 11054	(and Exp - Z+ f cont)		200 - 13
8 Harly Marie (Oc) 145	10-4-90-57		250 - 14
9 walfard m. nume in	1827 (Du Cap) But Cont,		1000 - 15
10 wm. j. M. Dange 119:	7. (Dec Co) 2-8-Cont).		100-16
	ing (ow lip - mony loaned & Ca wo	mack + 347)	9281 17
11 John K. Dowers # 765		· · · · · · · · · · · · · · · · · · ·	100 18
179 Murray Dum (Day Co	p: money loaned & E cross 250)		1 1000 - 19
17 8 S. Burston 1090 10	mu Exp - 2+E)	The state of the s	/00 - 20
21 Belondor Cland			9300 - 21
20 J. J. Muller # 1033	(One exp - N + 4 cont).		50 - ²²
24 9 - 1 Byows 517	(Dru Ego - 2+ & Cont)		100 - 23
2+ 1) Mitigue #160 (Dru Ego- N+H Cont)		153 - 24
18 Paul Like = 150	(Sie Exp - 2 + F ount)		100 25
30 9 Murray Our	(Driv Ep - Various ant)	٥	1 541+4 26
30 8.9. Bouton 818.	(Dur as - dager cont) "		243- 27
			28
1960			20
Jan 1 Doyal & Hall + 64	(one go- HIA Gyp)		145 - 30
7 G. w. M. Common #18			150 - 31
1 Ramey, Famour R.	Credit to 1959 luns	neus	55617 32
1 Cheston Kildebrand			884- 33
13 Honisy, R. R.	. Gow exp - Money loaned to XR &	nommen # 347)	4a 03 34
B Garay Q. R.	19 de - Making land & Jack	Bran \$347)	7920 35
		The state of the s	. 36

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Jan 13 Joseph W. Cayle +949. (Swigo - ZX K Cont.)
Lit 50 Clefton relationed
      5. C.D anget = 201
                            ( She Esp. 4 . 4 cone 1)
     13 Gran J. Colmans 731
                           (In Go-Z+ F cont)
     29 n.D. More + 618
                            ( Devices - NYN Cont)
     29 8: W Stry $ 518
                            (Sou Exp HVH cont)
     4 Capter Helkherne
      59 a. Fartur 949
                           ( One Exp - Z + F Cont)
    16 Calun co. Rawly
     18.99 pole = 424
                            (Sow Ego- N+ 4 Cont)
     21 Chancy Any C.
     25 Style C. penners 957
                            In Cyp - 2 x I Cont)
     I wall is well
     31 Ma " Me # "1
                           ( Drucky - A + N cont.
     " arrison whow it
                            ( Dow Sep N+ H' Cont,
              med # 175
     1 ston puddinana
     + Vector L. Kryse + 115 ( Sue Cap - NVH ant)
     5 Guger Gregor
     7 de Bener Lee #450
                            ( unity- (recent)
     7 C.A. Combo # 133
                            (In Exp - Gerat)
     7. Elmer Collins = 41.
                            ( In Ex. ( street)
     7 But Cisterry 22 4
                            ( no lip - Berat)
     7. May Tullis $ 73?
                            ( In Cop - Resat)
     12 . J. Monetrong 2325 (Dev Cap No N)
May 27 lyone But ( for the & Rive organizing assignment) may - Der 1900 - I day per mo
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1

34

Carl Browned - Page [80]. 1178]

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1960	· · · · · · · · · · · · · · · · · · ·		19.1 g. 400 100	Dr. Carl
Jan 13 Joseph w Cayle 4919 (Shu Cap -	- ZYE Cont.)			300-
Lib of Clifton Middierand				***
	4 . h cont)	the state of the state of		231
	Z+ F cont		The state of the s	
29 M.D. More + 618 (Que lep-	H+H Cont)	0		135
29 8 w Bily \$ 518 (Du lip	NVA Cont).			100-
Men 4 Calor Kelkbrand		3		887
59 a Factor 849 (On Exp.	- 2+ 5 cant)		1. 1.1.	125-
16 Calumico. Tawlingo				9500-
18.9.9 Dels # 474 (Som Exp	- N+H Cont)		A 2	100
21 Famoy Any C.	The state of the s			104 84
21 Sple C. penmene 957 (In Cap	-2+ F (ant)			200-
3. Tall i sent				. 154: -
31 100 1 11 = " () () () ()	- A + N Const.			1-0
	- XIX cont.			50
31 w med + 175 (Dow Gp	No K Cont,	West Comments	λ	4 79
april 1 son puditiona		· c		
4 Vector L. Super 111 (In Cap	- HVH ant)		• =	11700
5 . Guger Jugar		A TOTAL OF THE PARTY OF THE PAR		1000-
7 de Benez De 750 (One Eye	- (Fruit)		0	~ UDU -
1 C.A. Courten + 100 . (In Cyp.	- (Fruit) - Gerat)			753-
7. Elmer Collins = 41 (Inv Exp	- Berat)			1450-
	- Berat)			1.1000
	p- Renat)			751 -
12 1) Armstrong 23% (Dav Exp	W. N)			2500
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				J. Y	WRRAY DOWN	•			
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FORM C 10 Q			13.01.01		0	•	- 4		
o Tierlith	1959	,	SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PÉR DIEM		MIS
1	Dan 1	9.9. Min +121	350-	2133	1050			The same of the sa	3 /
	1	49. Magan 2519	175-		525				/
	Aut 1	9.9 Klun #731	. 350 -	21 88	1050				
The second	1	7.9 Ilangen 4579	350 -	2188	1050			* /	
	med 1	9. Kleen # 731	350 -	2188	1				
	1	79 Thempson 1579	350 -	2/88	1050		3	9/4	Taut I
	Good !	99. Klas #731	350 -	218	1 .				
1		T.g. Thompson 1579	350-	2/88	1050			THE K	
		9.9 De losts 2016	11				1		
10		th.g. Stack = 973			_		10)		
1.	may 1	9.9 Blee # 731	350-	0			1		
	1	7.9. Thompson 579	350-	2/88			0		
		9.9. Klim # 731	400-	27-	*			H-	
		7.9. Thompson to 57)	400-	27-	15-	0		•	
10		D.H. Barens 1059	1			1 191	N		
n fri		T. 10. Bever # 413		•					
	July 1	99. 1stew 731	100-	2700	15-		1		
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1959		SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIEM	H		9
sen 1	9.9. Klen +12	350-	2133		200		MISC.	DEBIT	CREDIT
1	4.9. Ilongerow 2579			1				33238	
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1	7. 9. Ilanguar 4579	350 -	2188	1050				38238	
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gord 1	29. Klas #731	350 -	218					38238	
14	F.g. Thompsons 19.	350-	2188	1050				38238	0 . 4
24	9.9 De loste vers							30030	1000-
29	M.g. Stack # 913								500-
	2.9. Blue # 781	350 -	2188	1050	10.00		The course being	38238	
" 1	7.9 Thompson 579	360-	21 88	1050	*			38238	
com 1	8.9. Klun + 731	400-	27-	15-	1.		the state of the s	442 -	
1	7.9. Thompson 4 579	400-	27 -	15-				442 -	1 . / . 11
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any 1	9.9. Kleer - 151	400 -	27-	15-				442 -	
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dept 28	& J Butter +705						d	0	500-
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let 19	J. J. Zubrowski * M	*)	250 -
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no0 24	99 Sedde # 413								1000-
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	- Jake	- 11	K.G. Fadder	H635	28	40	•	1000	500				
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4	tel 1	6.9. mm 0331	225-		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				225-	
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6	. 1	A.D. Branden	225-					* * * * * * * * * * * * * * * * * * * *	225-	4
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8		P. B. Marke Cataly									
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		Q.C. Mrow # 1033					11			0	
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		1. P. Hallyan # 395		Vacation)			6.		1	. 3
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9		E.D. Howarth 200		Vacation)			i : .			3
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11		C. B. Hade Chatate		lu 7/12	1.72.84	() (-	new ax	tera y co	(11)		
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1959	7	SALARY	R.R. TAX	PER DIEM	EXPENSE	PER DIEM		MISC.	DEBIT	CREDIT
1 Set a	6 E.B. Harlie Cate	tue .	4		711					115
2 7000 1	J. B. Mineter Coules	Lar Charles	marke m	Lasar - 1	19-1 1	Line	1			17465
8	S. B. Shake (detak	ST Here	31-16-		3, 1	La Tre Sun	Lang!			2735
4 Brill	OR How CA. A.B.	/ Want	7. Salk V	2 May 1	The sale	en prose	and a			1452
5 3	C.B. Shorte (Betel	- Clare	e, maker	Miller ray	- 10.7 20	care to: 7	7/324 (2)	1		1452
0	Q.C. Mous 105	3 11701	Varateca	2)			,		41425	
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Serve !	1. P. Hallyan # 3	15 61958	Vacation	0					34520	
9	E. B. Herele (Car	4	0				0	1.		345
9	4 C.D. Neworth a	260 (1952	Vacation		14	Ax Val			34521	
2	9 C.B. Hande (Be	* () .	(8)						0	345
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	195		SALARY	R.R. TAX	R.U.I.C. EPENSE	PER DIEN		MISC. DER
1	gow	A.B. Baker 1041	250 -	1563	750		1 / 1/2	
		10.2. But 4	375-	2/18	1050		Q.	2
		R. M. brago + 699	500-					5
		T. P. Kelligan 1834	500-	2/88	1050			
	-	E.D. Konerst 3260	9500 -	2188	10.50	<u> </u>		
•		8.10 M. Ben #575	150-					
7		R.C. More = 143	600 -	2108	1050			1 1
8		R.H. Moss # 160	500 -	21 66	1000			
. 10	100	O.D. Patmorera 109	250 -	936	450			
- 10		M. J. Gadiggitt 287	500 -	2188	1050		1	. 2
11	1	wan. Luss # 160	400 -	2/88	1050			. 4 5
. 12	,	10.0. taylor # 141	500 -	2188	1050			* • •
13	- 1	C. E. wible # 194	150 -					i 5
14	2/	Hemelu + Hemelu						
15	tet. 1	10. C. Bent # 4	375 -	21 14	10.00		-	*
16		Q.M. Brago # 699	500 -				1	
17		9. H. Mins # 160	500-	1 2188	1050			
18	9	10. D. Patrice = 199	250-	.938	450		3	4 5
19	1	m. S. Gadage = 201	500-	2188	10 50	0		. 2
20	1	10m dies # 160	400 -	2188	10.50			1 5
21	,	Q. 0. taylor # 141	500 -	21 84	1050	•		4-4
22		10 2. Bush #4	375-		f and			. 5.
- 23	1	7. M. Crago = 699	500 -	2/38	1050	0,	V =/1	4
24	1	R.N. Moser 160	500 -	21.00	1		1.11	5
25	1	0.0 Patricre # 199	250-	रा १९	450		1	, 5.
26	1	M. J. Gadrige #287	500-	2188	0 1050			
27	1	10.7. Luca #160	. HOO -	21 88				1 53
. 28	1	0.0 . taylor = 141	500 -	2/88	1050		0 1	Marie Ma
29	april 1	10.2. Bul 4	375-	2/88	1050			و م
30		R. M. Crago # 699	350 -		7000	* * Mary 1995		4
31	1	R. N. Mosen 160	11					34
32	,	A. D. Paternew 199	350 -	2/88	1050	4		
83		m. J. Padingo #287		2188	10.50		9, .	31
84		W. M Lies #160	350 -	2188	1050			31
85		Q. O. taylers 141	350-	2188	1050		1 ;	
36		171	350-	2188	1050		1	100

-		6.			alit for	10-8	1.0	5,868 18
105		SALARY	R.R. TAX	R.U.I.C. EIPERSE	PRIS DETEN	7733		5,860 -
Daw	1 A.B. Bucky 1041	250-	1563	C. C			MTSC.	DERIT
	1 10.2. Buls 1	375-	1. 1. 1. 1.		1 1 1 1 1 1 1 1	1. 17		273/3
- 1	1 R. M. brago = 49	500-	2/58	1050	1	. 2	· '31	H0738
199	T.P. Hallyan 4345	500-		The state of the state of		42.	8	500 -
	I E. D. Kouse st +260	500 -	2/83		1 1 1	10.50		632138
	1 3.w 2 2 2 2575		2188	10.62			1	53238
	1 R.C. Moore = 143	150-		D.				150-
-	1 R. H. Moss # 160	600 -	2/88					63238
	10.0 Patmore 199	500 -	21 58	1000		-6 9	3 417 41	53239.
	10 1 Gali :- 267	250 -	936	450				2638
1 49	M. J. Gadingsi# 287	500-	2188	1050	· he way .		100	53238
	wa. Luss # 160	400 -	2/88	1050			1.	H8238
	10.0. taylor = 141	500 -	2/88	1050	4		al .	53231
	C.E. weble # 194	150-					. 0 .	150-
1.1	Hemelu + Hemelee	-1.			./	1	•	5868
Feb. 1	M. C. Bend # 4	375 -	21.88	10.50				40738
1	9.M. Crago # 699	500 -		7		9		500 -
	9. N. Man # 160	500 -	2188	1050	/	1.)		
8	10. D. Fathere #199	250-	938	450		(0)		53238
1	m. S. Gadage # 251	500-	2/88	10 50				26388
1	100 due # 160	400 - 0	2188	1050			. 0, -1	53238
1	D. O. taylor # 141	500 -	21 54	1050				432.38
	10 2. Buch #4	375-	2/88	1050		11.00		532.88
1	P.M. Orago # 699	500 -		1 / /		1	!	40738
1	S. N. Moso # 160	500 -	2128	100	Tr S	1 /		500
1	0.0 Patrice # 199	250-	454	450		1	4	53238
1	M. J. Gadrige #287	500-	2188	1050		+		26388 0
	10. 7. Lus #160	400-	21 88	1050		1		53 238
1	0.0. taylor = 141	500 -	2188	. 1050	- The	13 1. 1	1 1 1	H3438
april 1	W.E. Buly 4	375 -	2/88	1050	2/:			53238
	9. M. Crago # 699	350 -						H0738
1	R. N. 21 soon 160	350 -	2188	10.54				360-
	A. D. Paterorew M.	350 -	2188	10.50	A			322,32
. 1	m. J. Padryge #287	350-	2100	The state of the s				3.5282
1.	W. M Lies # 160	350 -		1050			1	BHOM
1	Q. D. taylors (4)	350-	2188	1050	· 10 + · +	1 - 5	Market .	Brade
1	. 10		2100	10.50			There	9.82.95
14.17						. 120	1 1	den/199 38681

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pul		1 3 4 1 1 4	/					3/160	1
May .	1 10. C. Buch # 4	375-	2/88	1050				7073E	2
	1 R.M. Cray = 699	-350 -				•		350 -	3
	1 R. W. Man = 160	350 -	21 88	1050				38238	4
-	1 D.D. Peterred H	9 350 -	4				es es	3 62.32	5
	M. J. Galage # 8	1 350 -	-					36238	1 6
	1 Man. Luis # 160	350 -	2188	14.				31238	7
	1 D. O. Taylow 141	350 -	21.88			1		35237	8
and !	1 10.8. Bush #4	37500					/	41438	9
	1 9. M. Cres # 699	H00 -							10
	1 R. W. Mars 160	400 -		15-		,		400-	11
	1 D.D. Oakers # 14			15-				442-	12
	10 10	20 400 -			1-0			442-	13
	1 Wm. Lin # 160	400 -		15-				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	14
_ ()		400 -	27-	15-				442 -	15
by 1	D. D. Oralland	00			6394	90-	/	442 -	16
see !	D.D. Petrone	0		0	4495			15394	17
3	O.D. Patrice # 19				32 40	1		13495	18
	a D.O. tarle will					(D)	And the state of t	10740	19
4.	1 0 08 B 1 200			. / .	37 12			7212.	20
7	00-18-12-1-12			1 - 11-1	3490			10998	21
-	Q.m. Brew = 699		0	1 1 1 0	34 79	15-	7	7978	22
	R. N. Mrs # 160	400 -		15-				400-	23
,	0.0 Calmeres M		27-	_ = 0.00		4		4/12 -	24
	m. J. Gadrige mes	400 -		16-				442 -	25
	M.S. Sparing Ball		27-	-15-		-	-	H42 -	26
	D.O. Taylor 141	400-	27-	15-				412-	97
	0.0.0	400-	27-	15-	1 :0		- 19	443-	90
7:	to P Do how The	100.4	4 4	1 1-0	3185	60 -		-9185	29
_ 2	Hundry Nucle	(Busha	. America	Cost Du	(40)			300-	20
- 11	000	111			0/0	and a second of		163957	30
7 "	19 19 19	(Barbe	x Kenely	and - s				300-	31
-	8 0 141	0			4538	45-		9038	32
1	2 11 Cages 697	400-		1. 1.				700-	33
/	O. H. Money 160	400-	27	15-	. /			H44 -	34
	1 12 En 199	401-	17-	16 -	2/			111	35
		1	3	F: 1 +	1 19		1 1 1 2 1 1 1 2	1.	86

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	1959	SHEET TO	SALARY	R.R. TAX	R.U.I.C.	RIPENSE	PER DIEM	MISC.	DEB
.1	aug 1	m. Paline men	N00 -	27-	15-				4
2	1	sam lies # 160	400 -	27-	15-				4
3	1	D.O. Taylory MI	400 -	27 -	15-	1 - 0 - 1			. 4
•	Look 9	0.00 the 199			1	2460	45-		
6		DO C 199				6225	75-		. 1
6		R M Oragon 699	400 -		1				#
7	. /	9. N. Mon 160	400 -	47-	15-				1
8	1	D.D. Patmore # 199	400-	27.	15-	1	,		4
9	- 1	M. S. Padrige # 287	400 -	27 -	15-		.0		11.4
10	1	Wm . Luo # 160	400 -	27-	15-		0. 1		4
-11	1	D.O. Taylor 141	400-	27-	15-	11.06	"		4
12	Oct 6	00 Taylor = 141		1		4676	4500	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
13	1	9. M. Crays # 699	200-		, 8			- 10	- 4
14	1	R.N. Moses 160	400 -	27 -	15-				4
16	- 1	D. D. Galmore # 199	, 200 -	1350	750				
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18	uc 2	N.S. ibadaloses	852			4270	15-	7	1	. 10
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	well as sal	5600			MJO				. 303	,
3 C.J. Tem	well att	5632			2/60	1500			92 1	
18 C. L. Tune	ell and	5632			120	V C V C C C C C C C C C C C C C C C C C	. 14		945	
guly MC 40 Tayl	w= 939	5632		les de	757	10-			730	
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17 C.A. Rel :	302	2448			1863	20-			12311	
40 N.J. soad	delmoss !	8448		The state of the s	2131	15.00			12779	
cup + R.N. Ila	129	25/6	12		513	500			3829	
do C. L. Turne	be anny	5632			3201				1183	
28 E. A. Wel	2302	1124	61	112		60 -			2266	
Sed 9 C. L. Tent	11 0711	5632			3227				11857	
De 2 N.S. Iba	Like Ger	8520			4270				14290	
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11		12			3		1959	Credet o	10010	47
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	1959		SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIEM	a MIS
.1		N. A. Clasterlands 52 0	400-	2/22	./00	,		
2	1	W.O. Mr. Buleva SK	400-	218	1050	1		
. 3	Set 1	H.a. Chebeleed was	400-	4198	1000	•	Maria de la companya della companya	The same of
4	1	Ma. Mi Denlow 5 16	.400 -	2/05	1050	- 4		
		V.A. Micheland waso	400 -	.a1 \$8	1050			
6	1	HA.W. Rinka work.	400-	A188	1050			
7	Boul 1	A A Chatalend MS20	350 -	A1 88	1050			
8	1	1.0 M' Zerlew #516	350-	2188	1050	9	1	1
9		89 Minterter 1 50		2/83	1050			
10	1	da. W. Therlan #516	350 -	2188	1050			
. 11	gune 1	JA Clintenbert 1550	400-	2700	1500			14.
. 12	1	18 M. Henlow #5/4	HO0 -	2700	1500			1
13	10	d.am. Zenten - 545				364 74	240-	
14		d.a. Clenkafical & s	9	- Co-		15660	145-	1000
18	30	d A. M. Terline 516	The state of			16095	105-	1
10		1.1 26 Berlow 0 576		4		16923	1057	
17	buly 1	19. Chebrilian # 600				1395	15-	التاتد،
(0)	In a	4.9. m. Zulowa 3/6	19			167.88	2 90-	
10	11	MA Chilesterl w	400-	A7 00	. 15-		0	
20		da Di Zherlan SK		a7-	15-	The pro-	100	
21	aug 4	A Tolk Line	W			17010	14000	
1 1 1 S	7 2	JOM. 18 20 576			10 4	10535	105-	
2		4.0 Childhenda so	400-	47-	15-			7,2 3 10 He
9		40.7% Marke > 516	NO0 -	25-	15-	1	TO SECURE	
2	le	A. M. Theres		4		10560	26-	
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3	1	A. A. Michaeline & B	400-	21-	15-		6	
3	2	40. 76 Aug . 10	400 -	27-	15 -	. 44		
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	1959		SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIEM	MISC.		CREDIT
1	gan 1	N. A. Clashedards 52	4 400-	2/18	1050					
. 2		1.0.27 Buleva SK		2188	-7				43238	
. 3	Set . 1	N.a. Chebiliad was		2108					43231	
4	1	Ma. W. Sperlow w 5 %	1 400 -	2/08						
5 5		VA. Michelent was		2/88		8			H3238	
6	1	MA.W. Runter work	1 400-	4/18	7 .				H3438	
7	Poul 1	A A Chatalenders	10 350 -	- A188					38238	
. 8	1	18.0 -M' Zerlew #51	350 -	2/88	1050				31238	
9	may 1	84 Clintonbert +5	350 -	2/82	1050				38238	,
. 10	1	& Q. W. Therefore #5%	\$ 350 -	2/88			5		38238	
11	gune 1	J. a Clintendent six	0 400-						44200	
12	1	10 a . M. Tenlow #516	HQ0 -	2700	1500	€ 6		* 3	442 00	
13	. 10	d.am's Hucker - 516				36474	240-		60174	
. 14	. 18	d.a. Clenkopent & &	29			15660	145-	0	30160	* co :
15	36	da. ms. Zerlene 576				16095			1 265 95	
. 16	. 10	N. A Die Zenton in 576	1			16923	105-	0	27423	
17	Duly 1	19. Chapalial # 670			A Carrie	1395			2195	
18	8	40. m. Bulen & 3/6	4		-	14788	10-		25718	
19	. 1	da. Clarente de	NO 400 -	4700	15-				442-	
20	1	da Di Therland SH	1 . HO .	87-	15-				442-	
21	aug W	NO Pheholical -	3	0		17010	14080		29010	
22	28	80 M. Wiles 5%				10535	105- 8	Mark Market	1.	
23	1	N. a. Chelecter Ja 42	400-	47-	P15-				442 -	n.
24	1	11 0 Mg Hander 510	NO0 -	27-	15-		4 0 7 0 1		442 -	
25	Sed 1	J. A. M. Belens	1		12.	10562	25-	~ ~ ~	. 18062	in the
26	2.	N. a. Chebilor 253	6			15660	165-		34160	. 1
27	9	The forget + test "	* SN 48	11.20		15/10			23590	-
28	33	SI Males with				11292	105-		21/192	1
20	. 23	d Q. D1 3 Habe a516				74 24	105-	0	17924	
30	29	B.A.M. Theres 3/4	0.		1.	75 22	50-	The state of the s	12522	
31	1	A. A. Olechanhand of 5	400-	021-	15-	1. 7- 1	ite.		442-	
32	0. 1.	4.0 M. Docha + 50	400 -	27-	15 -		. * 1		442-	466
33	Oct 21	80.71. Bules 5%	0			15034	105+		25534	
84	29	20.76 Dilar 316			0.	10397	90-		19397	
35	1	Ha Chalmbeard -	401-	027-	15-	A DA			442-	Ø .
36	K 6 1 6 6 5				**			The state of the s		

1959	SALARY R.	R. TAX	R.U.I.C.	EXPENSE	PER DIEM		ISC. DERIT	CREDIT
Det 1 d.a.m. 2000 516		27-	15-				444-	1
no 3 da chilitical oc				16695	30-		24695	2
12 NA. W. Bulansi	7.			27286	135-		40785	. 3
1 & a Clarkuland on	0 400 -	27 -	15-	14			442 -	4 .
1 . H. a. Mi Berland	400 -	27-	15-	0		1	442 -	- 5
De 2 of a blinken beard = 3			7.	15570	45 -		20070	6
10 80 M. Dichas 516		0	1734	20009	120-		320.09	7
22 & a m. Bulen sk		0		19942	120-		31942	8
1 D. a. Chakubeard \$550	400	2700	1500.		And the state of the		44200	9
1 J.a.M. Dulan # 516	H00-	2700	1500		= 1		44200	10
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1960					1 145	· Whilet:	1561643	- 12
on 1 d.a.m. There = 316		2 (2)		30H.89	90-		29489	113
7 S.a. Clerturbeed + 520				21150	140-		35/ 50	. 14
31 H. a. Clinterland + 5 st	H00 -	37 -	15 -	100			1 442 -	115
let 29 00. a. Clubeling - 120		27-	15-				1 442 -	બા 16
29 4.0 M. Declar + 516	11724	405	440				12549	17
mae 31 Phil B. Such		A Fred						1054000 18
31 A. a. Cleatenheard - 5	400-	27-	15-			9	1 442-	19
31 d.a. ma Queba +54		47-	15				442 -	. 20
pul 30 S. a. Cheldene = 00		27-	15-				442 -	21
30 10.70: Neuko = 516	400-	47-	15-		6.		443-	22
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100	1959	4.0	SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIE4	Credit fran 19 MISC. DEBI
1	gen 1	1. R. P. Still # 648	450-	2/15	1050	3. 827		4
2	12	Don M's Alynn	1					
8		19.8. Sill #648	450-	- 2108	. 1050			
		R. E. Shell #648	450 -	3715	1050			4
	1 .16	Low Min Alynn	11/11		wi fa	100		
		R.E. Shills #648	350-	21.88	1050			3
		9. E. Saill # 648	350-	2188	1050		, p	4 3 5
		Q. C. Still # 648	400 -	A7 -	15-			4
• 10		Osa M'n Llynn.				9		
, 11	10-16- 21	G.E. Talabre	7		1	48 67	30-	
. 12	A 12 A	R.E. Shell #648 (Hationen			3267	1 1 1	1
13		Re. Shills # 648	400-6) . office	-upup	-	raid By Still	
14		R.C. Shills# 648	400-	27-	15-			
15	Led 28	RP Jull Hors				6768	30-	
16	1	9. C. Dullo # 648	400 -	27-	15-			
17	Oct 1	(R.E. Still #648	1 400-	37 -	15-			4
18	Man 30	R.C. Sill 2648	Stationer	y + office	Lyph	4 Sent	K Shill	575
13) 19	1000 1	P.C. Shill = 648	400-0	27-	0/5-	1		+
20	2.5.	RE Sullaws	400-	27-	. 15-	. 7.		4
21	1960				*	1	1959 Oredet	10
22	Jan 31	G.C. Sullarins	430-	47-	15-	1		4
	the D	GRE. Still stus.	400-	27-	15-	1		4
24	117.4 -1	20 11 11						A
24		RE Grilles 6.8	1 400-	27-	15-	1		The state of the s
24 25 26		AC Grella 648	400-	27-	15-	1		*
24 25 26 27	gul se		III			1		
24 25 26	gul se		III					
24 25 26	gul se		III			1		
24 25 26	gul se		III			1		
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24 25 26 27 28 30 31 31	٠		III					
24 25 26 27 28 28 30 30 31	٠		III					
24 25 26 27 28 30 31 31 32 33 34	Jul 3		III					
24 25 26 27 28 30 31 31			III			•		

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1959	SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIE	MISC. DEBIT CREDIT
1 gan 1 R. 2. Shills # 648	450-	2/88	1050	- 41		
2 12 Don Mi Blynn						41235
3 Ist 1 P.C. Sills # GHY	. 450-	2188	1050			975-
4 Mend 1 3. 8. Still # 648	450 -	2/18	1050		140	48238
16 Low min Alynn		•		15.		48238
6 April 1 P.C. Wills #648	350-	2188	1050			38238
7 May 1 R. E. Sill # 648	350-	2188				
8 gove 1 9.6. Still # 648	400 -	A7 -	15-			38238
9 19 Dan m'n Allynn.		0	0			7500 -
30 Q.E. thill # 648				48 57	Jo-	
11 guly al Q.C. Tal + 648		19		3267	30-	78.57
12 K March 30 R.E. Stills #448 (Mationery	+ office	supp		and By Wrill	575
13 July 1 Ge. Shills w 648	H00-0	27 -	15-			442 -
1 Okg 1 B.C. Shill # 648	400-	27-	15-		4	442 -
5 Lest 28 RP. Full #648				6768	**-	
1 9. C. Still # 648	400 -	27-	15 +			9760
1 Oct 1 G.E. Shill +648	400-	21-	15-			442-
18 Man 30 A.C. Sell 2648	Stationery	· · · ·	Such		to theile	448-
19 1000 1 R.C. Shill + 648	400-0	27-	15-			575 575
20 Dec 1 RE Sullarens	400 -	37-	15-			443 -
11 1960			14		1959 Oridet	Ex5057 467901
Dan 3/ P.C. Sullarous	430-	. 47-	15-	1	1101 0000	The state of the s
Tel W P.E. Shill work	400-	27-	15-	W. A.		444
24 7/20 3/ FC Shills 6.8	422-	0 27-	15-	Table 1		A 442 -
25 Quil 31 00 C Null # 648"	1 400-	27-	15-	7 11		442
26	11/1/16			0	The second of	
27						
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29			14		PART TO A	
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31				19.44		
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35			Marin E.	8		5.00
36						A CONTRACTOR OF THE CONTRACTOR
	Marie San State		10 4		Can to be	

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1	1959	SALARY R.R. TAX FR	.U.I.Q. EXPENSE PER DIEM	MISC. DERIT CRE	DIT
Act	gene 10 Romany, Q. + R.			Market State of the State of th	090
Section Sect	hat 9 Chape gray 766	5632	729 10-		
	Cat al go Files and Sel				
13232 15	n de la superiore			10375	
8	Today Today				
Oct	16 W (F) W. 3				
Occ 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	A3 W. G. Herent w 5 cm			and the state of t	
10 3 Thomas 200 382) 11 10 10 10 10 10 10 10 10 10 10 10 10 1					
13	3 Francy Famey	Till)			198
13 14 Defining Statement Str. 3680 1140 500 7320 14 14 16 16 Statement Str. 3680 1140 500 7320 15 18 18 19 14 Defining Reg. (Conduct to 1959 figure) 16 19 19 19 19 19 19 19 19 19 19 19 19 19	of Thomas	(122)			56
14	11 10 11 100	2840	481 500	382)	
18 18 18 (Cadat to 1959 figure) 19 19 10 (Cadat to 1959 figure) 18 19 10 (Cadat to 1959 figure) 19 10 (Cadat to 1959 figure) 20 13 (Cadat to 1959 figure) 21 13 (Cadat to 1959 figure) 22 13 (Cadat to 1959 figure) 23 15 (Cadat to 1959 figure) 24 15 (Cadat to 1959 figure) 25 19 10 - 25 19 10 - 25 19 10 10 10 10 10 10 10 10 10 10 10 10 10	14 Jany 16357 C	7 - 7	0		92
18 19 19 19 19 19 19 19 19 19 19 19 19 19	10 6 P DER 4-10+12				
18 Jan 9 Jam R. G. (Culit to 1959 figure) 20 21 22 23 24 March 1959 25 Jan 1959 26 Jan 1959 27 28 29 20 20 21 22 24 March 257 25 Jan 257 25 Jan 257 26 Jan 257 27 28 29 30 30 31 31 32	18 9 Marian 209	73.20	35/7 15-		
19 19 20 21 22 22 23 24 24 25 26 27 28 29 20 21 22 24 25 26 27 28 29 20 20 21 22 22 24 25 26 27 28 29 20 20 21 22 22 24 25 26 26 27 28 29 20 20 21 21 22 22 23 24 25 26 27 28 29 20 20 21 21 22 22 23 24 25 26 26 27 28 29 20 30 31 31 32	1960		190 Pealit		94.
20 21 22 23 24 24 25 26 26 27 28 29 20 21 20 21 20 21 20 21 20 21 22 22 23 24 25 26 27 28 29 20 20 21 21 22 22 23 24 25 26 27 28 29 20 20 21 21 22 22 23 24 25 26 27 28 29 20 20 21 21 21 21 21 21 21 21 21 21 21 21 21	Jan 1 Ramy P. + P.	(Credit to 1959 Lease	w) // / / / / / / / / / / / / / / / / /		
20 21 23 25 25 25 25 25 25 25 25 25 25 25 25 25	7 w. A. Bung = 34	7 5680	1369 10-		56
22	13 Samery R. Q. 00				42
24 Mar 14 W F July 347 2840 788 5- 4129 25 Mar 14 W F July 347 2840 1044 5- 41384 26 April 1 9 C 1444 19 449 27 28 29 30 31 32 32 32 32 32 32 32 32 32 32 32 32 32	13 James (9: 9 05)	5	7		790
25 Marc 16 W F. 1264 5347 2840 1044 5 4384 4384 2840 2840 330 330 330 330 330 330	19 W. A. Heret #34	* 12 14 14 14 14 14 14 14 14 14 14 14 14 14		7404	1
25 26 27 28 29 30 31 32	12 10 G King . # 347	2840			-
26 Jord 1 9C LAL = 419 28 29 30 311 32	21 Para Para P	28.40	1044 3-		
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1	1959	Completions)	SALARI	R.R. TAX	R.U.I.C.		PER DIEM	MISC.	DEBIT CREDIT
2		Jan 1 = 370 # 310)	2716	190	100	2638		,	21734
3	٠.٠١		20 10	770	107	200			27985 -0-
4							1959 Blick		A7985
5 A					Ö		10		
7								Mr.	
8				-	8		0	er man	
9		0			6		•	6	
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21									1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1
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M C 10 Q	11 1	1	1				THE THE				1
	1959		SALARY	R.R. TAX	R.U.T.C.	EXPENSE	PER DIEM	U	CISC. DEBIT	CREDIT	
1	Jan 1	S. Dunen #293	825-	2188	1050		. 0		85731	2.1	1
2	3 1	M.B. Dechollo # 94	350 -	2188	1050	111			38236		2
		C. 10 Rewlings		•				1		123626	. 3
	Feb 1	J. Aunean # 293	825 -	2188	1050				35731		4
5		m. B. Hickoll # 90	350-	2188	1050				38238		5
6	1	C. w. Rawlings								124326	6
1. 1. 1.	mer.	1. Runean # 293	825 -	. 2188	1050				85738		7.
8		m. B. Zecholos 98	350 -	2148	10 50			1	38231		8
9	2 1	C. so Gawlings		4.						123976	9.
10	Spril !	1. Duneau = 293	. 350 -	2188	1050	The bear			38238		10
M.		M.A. Dicholl # 98	350-	2188	1050				. 38238		11
	may 1	M. B. Decholl + 98	350 -	2188	10.50		11		38231	,	12
13	april 2	La. Pillmen #133	0.		00	41				1000 -	13
14	may 6	1. Duncan # 293.	1			5374	- File		5379		14
15		g.M. Polarty # 98		. 7	*	1191			A HER MI	250 -	15
16		17. B. Hechollo. #98	350-	4263	1312				38575	- /	16
17	19	M. B. Zucar 10 98	•			27194	155-		42694	(N.). /.	17
	July 7	M.B. Dockelle 298			4	15004	90-		24004	1 - 1 - 3	18.
19	1	M.B. Destall # 98.	350 -	4263	13/2				385 20		19
21	Mov 2	2. C. Chysteren #73	f				All all			900 -	20
21									635864	586928	21
23							1959	Delect	18936		22
						40		100			.23
25	1960										24
26	Max 16	Calin w. Famlings			•			(a)		150.	25
27							MILE STATE				26
28						0					27
29	9	\									28
30			Jan .	4 . 4	6					1 .	30
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	1959		SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIEM	MISC. DEBIT	CREDIT"
. 1	gan 1	N. 9 Brels 635	350	7 2/88	1050			38238	120000000
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. 3		2.9 Gerat					~	3.4 3	3644
4		e.a. Berat				· · · / ·			38063
		4.9. Brest. #625.	350 -	21.88	1050		۵	382 30	38413
. 6	9	8. 9 Gust							38238
. 7		N. 9 Burat # 625	350 -	2/88	1050			31238	30438
8	may 1	19 Buttous	350 -	2148	4	6		38238	
9	28	89. Salwady \$ 102	er The			6.			750 -
10	Que 1	W. g. Berat 4625	400 -	27 00	1500	•		HHA-	730
11	Delly 1	89. Quet +625	400 -	27 -	15-			442 -	•1
12		Stollind # 450						775	750-
. 13	0 3	2 d Namber # 1015							750 -
7 14	0 28	9 Jane # 196	140 80)		887/	65-	29451	
15	- 1	A Great + 605	400 -	27 -	. 15-	0		1142 -	
. 16		A Bret # 625				9151	31 -	19157	81
17		N. Buston 625	400 -	. 27-	15-			44200	
18	Oct 7	de spencius 196.	563			1224	10-	7858	
19	1	Nes Burat # 635	400-	27-	15-			442 -	
20	no 12	1. 9. Spinor # 196	2816			8 78	<i>5</i> -	41.94	0
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22	Dec 8	A. 2 Sanceres 196	28 40		1. 1.	778	500		
23	9.	walter Mil Name as a se	89						1000-
24	. /	& Berat # 13625	400 -	27 -	15-			442 -	,,,,,
25	1960						1959 Debit	557366	439714
26	for 12	A 3 Samuer 196	8520	,		612	3500	126.32	
27	"	y Byrat = 625	400 -	27 -	15-			443 -	
28	Ask 12	A & Lance = 196	28.40			30.52	5-	5392	
29,	De 29	do Quet # 625	400-	21-	15-		A	444 -	0:
	Mr. 7	S. J Spence 1, 16	5680			1548	10-	82.28	, . C
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32	soil 5	1.3 Senson 12.90	170 43	,		56 84	12000	34724	
0 33	7	the American serio		• 11-			re 7.		1000-
34		C. M. Burger # 833	4	C GN	1 -				75
35	. 7	E Collins #041	116. 91		1	* **		7	1450
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al 1 But Claberry # 204			- 4	- N. M.	<u> </u>				1250-	2
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VA.	1959.		SALARY	R.R. TAX	R.U.I.C.	EXPENSE 0	PER DIEM	MISC.	DEBIT	CREDIT
1	gen 1	Q. t. Miller # 7.36	350-	2188	1050				38238	1
2		91.00. Tingle #124	350-	2188	1050				38234	2
	Act. 1	Q.7. Meller # 736	350 -	. wist	10:50				38238	. 3
	1 - 1	17. 10. Tangle +124	350-	2188	1050		u.S.		38238	
		R.t. Meller # 136	350 -	2188	1050				38232	
		A. D. Tengle # 124	350 -	21 88	1050	4			38238	6
		B.M. Savage			14.			A STATE OF THE STA	1. 111	152952 7
0	april 1	R.t. Melle #736	350 -	2188			·		382 38	
10	1 1	1.10.7 saga + 124	350 -	2188					38 2 38	9
11		Q. 7. Melles # 736	350-	2188		1 100 1			38238	10
	1 111111	1. 10 . Tengle # 124	350-	2188	1050	. 0			38238	11
13		R.t. Mille & 136	400 -	27-	15 -				44200	12
14	, ,	1.10 Tingle # 104	400-	27-	15 -	1 18	1.		442-	13
156		Q1. Milbe = 236	. 400 -	27-	. 15 -				442-	14
	/	M. D. Tengle + 124	400-	27 -	15-				442 -	15
. 17	ung 7	Of M. Source							c	6800 - 16
18		9.7. mille + 136	400 -	27-	15-	(442 -	17
19		1. 10. Tenger 124	400-	27-	15-				442-	18
20.		71. W Tengles 134	400-	27-	15-			The State of the S	442-	19
21		M. W. Tinglett 124	400 -	27-	15-				442 -	20
22	100	n. w. Tengle #124	400-	27-	15-			-/	442-	21
23	rue !	11.w. 124	400 -	27-	15-				442 -	23
24	1960					0	159 audit		8 24380	832952 2
. 25		8. W. Tangle #124				. / /	39 mider			8572
26	man 2	n w Tengle + 124	11724	405	440				12569	26
27	David	N. w. Tingle 3124	34839	23.52	1306				38 7 97	27
28	year or,	11.20. / singe +184	725-	27	15-	- 1		0	442-	28
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		1		The state of			
1959	SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIEM	MISC. DEBIT	CREDIT
april 1 T. B. yarger # 804	350 -	2188	1000		50	9123	8
may 1 T.B. yaugar 101	350 -	21.88	1050			3823	
June 1 T. B. farger \$ 804	400 -	27-	15-		0	1442	
July 1 Yargors Jargon		7.0	* * * *				348
1 T. B. yaugous 004	400-	A7 -	15-	,		442-	
ang 1 1.8 years sol	400 -	27-	15-	. 0		1/44	5 11
Let 1 + B. yargen 804	400-	27-	15-			442 -	
Sept 25 M. L Brandshory # 89	7		Art the same				300
25 D. D. Clemense # 191							30
25 J. C. Jage # 151	100	17.4	14.14				30
Oct 5 0.7. Hage # 944 .							300
5 E. S. gensewa 384	1 11			7 4 4			300
5 2 2 gones 183							300
56. Malped #562			at and the				:300
5 m & Rupprickt # 4	36				H The state of the		300
59 M. W herrett #	445	11	-				300
5 C.C. Zum # 6.	38					1/	300
1 + B. Garger 804	400-	27-	15-			448 -	-
No 1 T. B. Yagen * 80	400-	87 -	15-	45 g_11		442-	
Dec 1 J B. Yarger + 804	400 -	27-	15-	0	The North Assessment of the Control	142-	
30 1. 9. Breetown 808							ואכ
1960		View 1			19590	redet 38 58 %	694
yen 31 T B friger # 834	400-	237 -	15-			442 -	
Let 29 T. B. farger #804	400-	27 -	15-	A . H		442 -	- 1
Man 31 - B. Saying For	400 -	27 -	10		(6)	442 -	
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	1959	(april)	SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIE	MISC	
1	May 19	N.g. Endy 598	56320			. 25973		1.	947
2	14	H.M. Alyma 577	366 08		. 1050	11670	75-	TOTAL MARKET	590
3	gune 2	N.g. Endy 588	19712			79.56	45 -	. 1	32
. The state of the state of	8	S.M. J. Syng 517	36608	. 2188	1050	11611	65 -	1 - 1 - 1 - 1	579
5	18	11.9. Endy # 598)	22528			82.85	50-		35
	29	J. Dagnellow 1090				•		· 65	11
7	30	N.9. and 548	19712			13311	40-	1	370
8	July 10	N. S. Cart of State of the Soll	19712		,	13894	55 -		39
9	0 14	A. Sutton #959	7.			-1			
10		A. Mapolitania 1069		· Commercial	· · · ·	*	3. 3.		· · · · · · · · · · · · · · · · · · ·
- ' 11		4.M. Ilym # 517	42240	2700	15-	12897	95-	9	683
, 12	1.4	D. Byan # 598			. 0	-	6-		
13	11	m. Sibbono#959		4		1 1		1	
. 14		1. Bialy # 946					or to the second		
15		S. w Mitchell #517	110	**	1		e let let		
16		4.9. Endy # 598 X	19712	1331	739	13443	55 -		409
17	44	walter and it ses				14 1			
18	27	I spil Hours 959						A Section of	
. 19		19 Ende # 598 X	22528	- /52/	145	11621	60-		421
20	21	Po 34 #1054 .	4						
21	24	98 1 57 1 598 X	22528	1521	545	1575	40-	19	40.
22	28	19 Janes 517	39444		1478			the special second	611
23	Les 8	11 adams 11 946 .	19	4					1 1
24	9	10 598 X	19712	1331	739	12701	35-	1.1-2 11	. 37
25	11	9. a. Laure # 1090.			7				
26	11	L. V. Zerskin # 1049				•	500		
27		a Graden 7 1069	1.						
D 28	1	1. 9. Cody 2595 X	19\$1.2	1331	739	13508	35-	/	38;
29		graph Bronde + 961							
30		Below & Clark for diggs	4:)	1		11/11/11			
31	28	9. J. Margely # 1047	1,	•		1.5	•		11
32	30	June Shuter # 623		* * * * * * * * * * * * * * * * * * * *	1			0.3	
33		CT. Junlong # 961							1 14.
34	5	H. J. Byon, Jr. 1 1069		,	14 -				
35	5	Qui Show = 197		1	110	110			
36				.**	11 5	3 3-01			

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1	959		SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIEM		MISC DEBIT	CREDIT
1 7	May 14	N.g. Ender 598	56320				1	11/11/200		
2	14	s.m. Alumis 517	36608	2188.	1050	11670		N 19	947 93	
3	ine 2	N.9. Cade 578	19712			7956			59016	4
4	8	8.m. 12 mg 517	36608	2188	1050		· 65 -		3216	
5.	18	1. 9. Ende 1 398) .	22528		,,,,,,	. 8285			57957	T. T.
6	29	S. Dognellow 1090		*				1	358/3	~
7	30	N.9. Ind 3548	1.97/2			13311	40-		37023	250-
8 9	ely 10	N. good of the to Shad of Man	19712			13894			39106	
9	0.14	H. Setton # 959								150-
10	150	A. Mapolitania 1069				· .				250 -
11	14.	H.M. J.Lynn # 517	42240	2700	15-	12897	95-		68237	~~
12	17	0. Byan # 598							11.	100-
13	40	M. Hebboro #959								100-
14		8. Bialy # 946	Mark B							200 -
15	. 42	d. w Metabell #517							-	100-
16	22	4.9. Endy # 588 X	19712	1331	7.39	13643	· 55		409 25	
17	27	Walter listed # 580	0					6		100-
18 .	27	typic Hours 959								100-
19 Per	2 10 1	19. Bady # 598 X	22528	1521	845	11621	60-		42515	
20 : 0	21 2	9. Ify #1054								100-
21	24.	19 6 1 598 X	22528	1521	845	1575	- 60 -	10	40169	
22	28	1970 Jan 435 5000)	39444	2661	1478	8064	95-		61127	
23	P 8 30	aldens 11 946								100-
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2011	118	a. Srave # 1090						.0.7		200 -
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27	210	1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1		141			• 1.		100-
29	23 4	9. Endy # 598 X	19712	1331	739	13508	35		38790	
30		respl Grande + 961	a . \							100-
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259 8 6. Sa Brunky # 598 8 0. Galumy # 1090 6 9 Klied # 731 120 9. Hallaghor 517 12 8 M. Flynn 517 19 M. 10 Bidger 1069 21 7 M. 10 Bidger 1069 21 7 M. 10 Bidger 1069 21 7 M. 10 Bidger 1069 21 9 P. Bidger 1069 9 Frank Maw # 678 11 C. P. Keiss # 1069	84 V8 16896 14240	540 21-		13824 1679 4122 152 -		ить э	DEBIT GREDIT 42718 100- 150- 11009 250- 26018 72146	1 2 3 4 5 6 7 8
8 6. La Bounty # 398 8 a. Arbuny # 1040 6 9 Klist # 731 120 9. Hellaghor 517 12 S M. Flynn 517 19 M. 10 Below # 1069 21 7 M. 10 Below # 1069 21 7 J. Slim # 75) 22 1 9. Condy # 598 16 9 9 Condy # 598 17 Delay # 598 18 9 P. Below # 678	8#48 16896 42240	27-	.311	1679	50-		11009 150- 11009 250- 26018 72148	1 2 3 4 5 6 7 8
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12 9 1 Slick # 731 12 9 M Sligger 517 12 8 M Sligger 517 12 8 M Sligger 517 19 M 10 Below # 1069 21 7 M 10 Below # 1069 21 7 M 10 Below # 175) 22 8 9 Challe # 598 26 9 9 Challes # 678 27 9 Pelage # 1069 9 Jeank Maw # 678	16896	27-	15 -	4/22			11009 250- 26018 72140	3 4 5 6 7 8
12 C. J. Hallaghor 517 12 A M. Flymon 517 19 M. 10 Bedrau # 1069 21 J. B. Low # 75) 22 J. G. Condy # 598 26 9 9 Orbertons # 648 27 9 P. Bedrau # 1069 9 Grank Man # 678	16896	27-	15 -	4/22			11009 250- 26018 72140	4 5 6 7 8
12 A M. Flymon 517. 19 M. 10 Bedrau # 1069 21 7 By Dugan # 75) 22 1 J. Elin # 73) 22 1 J. Endy # 598 26 9 J. Cheelmo # 678 27 9 P. Dylan # 1069	42240	27-	15 -				250- 26018 72148 100-	5 6 7 8
19 M. 10 Bedra # 1069 21 7 By Dugar # 755 21 9 J. Elin # 75) 22 N. J. Endy # 598 26 9 9 Orbertos # 678 27 9 P. Delan # 678 9 Frank Man # 678	42240	27-	15 -				72148	6 7 8
19 M. 10 Cadaca # 1069 21 7 M. 10 Cadaca # 1069 21 7 M. 10 Cadaca # 1069 21 9 J. Chady # 598 20 9 J. Chady # 598 20 9 J. Chady # 598 20 9 J. Chady # 1069 21 J. Cadaca # 1069 22 J. Cadaca # 1069			15 -				72140	7 8
19 M. 10 Bedra # 1069 21 7 By Lucy # 75) 21 9 Shim # 75) 22 N. J. Endy # 598 26 9 9 Orbertons # 678 27 9 P. Bylan # 1069 9 Frank Maw # 678				4			100-	8
21 7 2 Sum + 75) 22 19 Condy + 598 20 9 9 Condy + 598 20 9 9 Condy + 598 20 9 9 Condy + 628 20 9 9 Trank Man + 628	A2528	1521					(4)	
20 9 9 Condy + 598 20 9 9 Condy + 598 or 9 9 Belan + 648 9 Frank Maw + 618	A.A.S.28	1521			۵			
22 19 Endy # 598 16 9 9 Arbeilmo # 678 17 9 Delay # 1069	AA528	1521		- 1	1		100	10
9 9 Belay = 1069	1	, 34/	- 47	10000		20 90	2090	11
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9 Frank Slaw + 618	1			1. 1			100-	1
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12 11 g cady \$ 598	19712	133/	739	10269	45 -	0.4	36551	17
12 N. Bogan # 598							150-	11 18
19 9.7. Shene = 761	*	Service Comments		1			100-	119
20 1 2 shamit # 552	44						100-	20
23 N J. Cody # 598							100-	21
23 N.g. Crock # 598	19880	13 42	746	11186	35-		36654	22
84 9 9 stattery # 827	6	14-1-					100-	23
c 76.9. Joy 1054	100	100 100 100				***	200-	24
10 10 m. 3. M . Donough # 197							100-	25
10 N. g. Enoly + 390	22720	1358	852	13269	40 -		42199	26
14 John M. Cours # 765							100-	27
17 Venegat & Rivolo 1 109		41.4					100-	28
18 . N. J. Cody # 318	19880	1342	850	9919	° 35 -		35491	29
al Jeppen - celand			- Fig.					30
22. A. M. Shymes 517	820-	5384	2991	186 30	165-		125505	31
of 7 Byon, J. 7517 "		1.						32
28 Paul Libar + 150							/00-	33
31 A. M. Flyner 5/1	45440	37 -	. 15-	14858	10 -		1000	34
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. 1		1960		SALARY	R.R. TAX	R.U.I.C.	FOPENSE	PER DIEM	1	MISC.	DEBIT
		lan 1	N. 9. Confer 520	22720	/ /3 54	852	833/	20-			352
	8	fee 22	Joseph w. Coyk + 949 6. 9. Enely + 598 A. g. Enely + 598	19880				11		J	35/
	8 6 7	10 Mer 1	19 Condy # 598	19884			9084				35.
Pip	8 9 10		1. Q. Endy # 591 Cycle C. Human 959	19880	134	} 50					34.
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1/9	960		SALARY	R.R. TAX	R.U.I.C.	EXPENSE	PER DIEM			MISC.	DEBIT	CREDIT
	2	N. 9. Confy 3 598 .	22720	13 58	8.52	833/	30-				35261	
00	13	M	90190	7000	,	.03/			1-	1.4	30401	300
	92	19 Endy #598	19880	1342	850	10103	30-				351,75	
4	1 2	A. G. Condy # 598	22720	13.58							37833	
1	1.10	1/1/2 /	,00/00	,,,,,,							. 37300	100
	1. 34	16-16 13 14-15 731 N + Conde # 598	19880	1342	150	11256	25-				35828	
m	- 4	19. End + 598	22720	1358		. > .				and the same of th	36514	
//-	15	non con		,,,,,,								125
		N.Q. Endy # 591	19880	1342	850	9696	25-		* 11 44		34268	*
	- 1	Plyde C. Kenner 959	,,,,,,	63	100						0,100	200
12		N. g. Endy # 580	22720	1350	850	11436	. 30 -				39366	
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April 9, 1959

fol. 1206

Mr. W. P. Kennedy President

Mr. W. J. Weil General Secretary and Treasurer Office

Dear Bire and Brothers:

Kindly gredit the attached shock in the mount of

\$3,116,26 to the General Fund of the Brotherhood.

Preternally yours,

C. R. Maher, Chief Clerk Legal Aid Department

ees Mr. M. J. Ellelager, Cashier (with cheek)

233

Primary.
This is half of Ho Th shan !
of salarus Jan-7th- March.

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Mr. W. J. Wath General Bearstery and Treasurer 011100

Deer Stre and Brothers:

Hindly wedit the attached check in the mount of \$1,000,00 # 13372_ to the Ceneral Fund of the Brotherhood.

Fraternally yours,

C. R. Maher, Chief Clerk Legal Aid Department

Mr. M. J. Ellalager, Cashier (with sheek)

retherheed of Ballroad Train Cleveland, Chile

Leo A. Pittman 530 Judge Building Salt Lake City, Utah

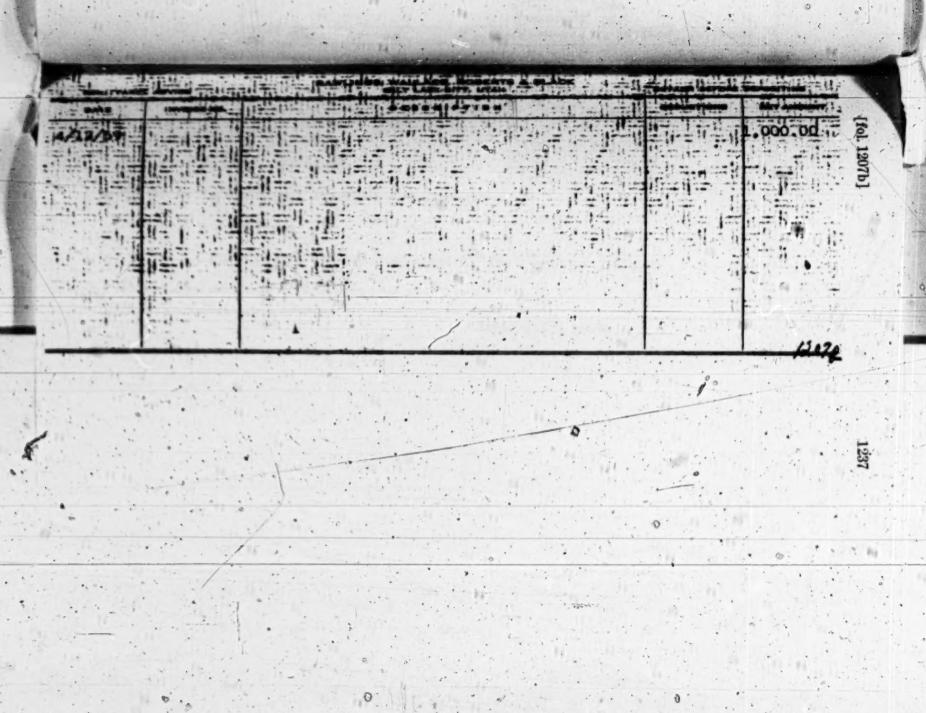
THE COST TO THE BROTHERHOOD OF INVESTIGATING YOUR 2 ACCIDENTS WAS CHE THOUSAND DOLLARS. YOUR CHECK TO COVER THIS WILL BE APPRECIATED.

> C. R. Maher Chief Clerk Brotherhood of Railroad Trainmen

April 17, 1999

Sand the above message, subject to the turns on back hereof, which are hereby agreed to

PLEASE TYPE OR WRITE PLAINLY WITHIN BORDER - DO NOT FOLD



Mr. W. P. Kennedy, President

Mr. W. J. Meil, General Secretary and Treasurer

Dear Size and Brotheses

Please credit the attached check in the amount of \$7500.00

to the General Fund of the Brotherhoods

Preternelly yours,

C. it Maher, Chief Clerk Legal Aid Department

ocs Hr. M. J. Ellslager, Cashier (with sheek)

June 29, 1959 . Mark Harry 1985 Mr. W. P. Kamedy President Mr. V. J. Well Ceneral Secretary & Treamper 011100 Dear Sire and Brothers: Hally wellt the studies check in the mount of \$4,000.00 to the Omeral Fund of the Irotherhood, Protectally years. C. R. Maher, Quief Clark Legal Aid Department que Mr. N. J. Miniager, Casider (with theck) Hiss William Ruby

JAMES E. HARRINGTON

HENSLEE, MONEK & MURRAY ----

CHICAGO 2, ILLINOIS

TELEPHONE STATE 3-4048

June 25, 1959

Mr. C. R. Maher, Chief Clerk Brotherhood of Railroad Trainmen Legal Counsel Department Standard Building Cleveland 13, Ohio

Dear Mr. Maher:

We are enclosing our check for \$4,000.00 which I understand will cover all money due from the firm of Henslee, Monek & Murray to the Brotherhood of Railroad Trainmen in regard to investigation charges.

Very truly yours,

HENSLEE, MONEK & MURRAY

WNM:JC

2ug 7, 1959

dans 30, 1959

Mr. W. P. Kennedy President

Ifr. No J. Natl General Secretary & Treasurer

Dear Sire and Brothers:

Kindly credit the attached check in the smout of \$7,639.57 to the

General Fund of the Brotherhood.

Preternally yours,

C. R. Haber, Gulef Clerk Legal Aid Department

oct Mr. M. J. Elleleger, Castder (with check)

[fol. 1210]

LAW OFFICES

HENSLEE & HENSLEE

ISO NORTH CLARK STREET

ARTIM R. MENGLES

CHICAGO 2, ILLINOIS

TELEPHONE STATE 2-5025

June 30, 1959

Mr. C. R. Maher, Chief Clerk Department of Legal Counsel Brotherhood of Railroad Trainmen Standard Building Cleveland 13, Ohio

Dear Sir and Brother:

Enclosed is our check for \$7,639.57 which is the balance due and owing the Brotherhood, in accordance with your recent letter.

I believe that this settles our complete account with the Brotherhood,

Fraternally yours,

EDWARD B. HENSLEE, JR.

EBH:mjb

1242

1210a

Jan Start Start

0... ee: Mr. M. J. Ellalager, Cathler (with sheek)-

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State of State of Street,

Dear Stre and Brothers

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C. L. Mirry Odel Gest Logal Md Department

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Mr. H. J. Ellelager, Cathler (with death)

[fol. 1213]

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SERRAND M. SAVAGE STOO MATHIESON BUILDING SALTIMONS AND LIGHT STREETS

August 10, 1959

Brotherhood of Railroad Trainmen 1370 Ontario Street Cleveland, 13, Ohio

Re: Wiseman v. B. & O. and B.R.T. - Civil Action No. 9678
Hostetler, et al v. B.R.T., et al - Civil Action No. 9795
Decker, et al v. B. & O. and B.R.T., et al - Civil Action No. 10136

Professional services from June, 1957, through June, 1958:

[fol. 1213b]

which als

COPY

100 MATHIESON BUILDING

SALARY ACCOUNT FOR THE YEAR OF 1959

Salaries from January 1, 1959 through June 30, 1959:

N. W. Tingle

\$2, 353, 90

R. T. Miller

2, 353, 90

\$4,707.80

Paid March 9, 1959

Balance due to June 30, 1959

1,529.52

Salaries for July and August, 1959:

N. W. Tingle

\$ 884.00

R. T. Miller

884.00

1,768.00

\$3, 178. 287

(Note: R. T. Miller is retiring

effective September 1, 1959)

Salaries from September 1, 1959 through December 31, 1959:

N. W. Tingle - 4 months @\$442.00

1,768.00

Total salaries due for the year of 1959

\$6,714.28

Kindly deposit the attached check in the H JOS Ton the General Fund of the Brotherhoods G. R. Milery Grief Clark Legal Aid Department Mrs M. J. Elislager, Cashier (with shock) 1214

YAEGER AND YAEGER 718 FORHAY TOWER MINNEAPOLIS 3, MINNESOTA PHONE FEDERAL 3-6371

September 22,1959

C.R.Maher, Chief Clerk Legal Aid Dept. Brotherhood of Railroad Trainmen Standard sldg. Cleveland 13 Ohio

Dear Sir and Brother: Re: Investigation Bills.

I have received in the past your bill for the investigations that the Brotherhood has sent me for

Brother R.E.Ralph, Iodge 151, \$300 D.B.Clemence * 191 300 M.L. brandenb.rg, Lodge 877 300 900

I inclose my check payable to the protrerhood of Railroad Trainmen in this amount and I would like you to know that on these 3 cases the progress of the cases has been excellent, primarily because we are equipped with an adequate investigation.

It might be necessary, however, that if these cases have to be tried that a supplemental last minute investigation will be completed.

It might be necessary at that time to call upon local loage officers or your regional investigator to assist in this work because of the technical mature of the happening of the accident.

Fraternally yours,

YALGERA YAFCEB

or lund garge for

CLY. JR: vPU

1214a]

October 5, 1999

Mr. N. P. Samely

Special Secretary & Treasurer

Dear Sire and Brotheres

Hally deposit the attached shock in the smeat of \$2,100,00

to the Omeral Paid of the Brotherhood,

Protomally yours,

C. R. Heber, Chief Clerk Legal Aid Department

out Mr. H. J. Elislager, Cashier (With sheek)

Junto per per

December 21, 1959

Mr. W. P. Kennedy President

Mr. W. J. Weil General Secretary & Treasurer

Dear Sirs and Brothers:

Kindly deposit the attached check in the amount of \$9,300.00

to the credit of the General Fund of the Brotherhood.

Fraternally yours,

C. R. Maher, Chief Clerk Department of Legal Counsel

cc: Mr. M. J. Ellslager, Cashier (with check)
Niss Wilhma Ruby

bce: Zelenko & Elkind, Legal Counsel

[fol. 1216]

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NEASE DETACH	FOR YOUR RECORD
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[fol. 1216b]

Tot Mr. Floyd Lebman Comptraller

Front W. P. Kannedy

Inclosed are five statements totaling \$9,300.00.

Kindly issue Brotherhood check in that ement and deliver to C. R. Maher, Department of Legal Orensel.

Mi Pernedy

W. P. Kennedy, President

ee: C. R. Naher, Chief Clerk Department of Legal Counsel ZELENKO E ELMIND

COUNSELORS AT LAW

SES MADISON AVENUE

'NEW YORK 17, N T.

HURRAY HILL 3-4420

ARNOLD B. ELRIND HERBERT ZELENKO

December 14, 1959

Re: Hudson & Manhattan Railroad

BROTHERHOOD OF RAILROAD TRAINMEN Standard Building Cleveland 13, Ohio

ATTENTION: President W. P. Kennedy

TO.

Zelenko & Elkind, Dr.

To professional services rendered in April of 1959, including conferences, research, analysis, preparation of answer, crosspetition, order to show cause and motion papers, Court appearances on 5 separate days, preparation of briefs, motion to resettle injunctive order, telephone conferences, preparation of Notice of Appeal.

.\$4,500.00

CAPPOSED AX 12/17/59

12/60

ZELENKO & ELRIND COUNSELORS AT LAW: 285 MADISON AVENUE NEW YORK 17, N Y

ARMOLD B. EURIND

December 14, 1959

Re: Hudson & Manhattan Railroad .

BROTHERHOOD OF RAILROAD TRAINMEN Standard Building Cleveland 13, Ohio

ATTENTION: President W.P. Kennedy

TO

Zelenko & Elkind, Dr.

14 pm 00 PK 159

12162

ZELENKO E ELKIND COUNSELORS AT LAW 265 MADISON AVENUE 'NEW YORK 17, 'N Y. MURRAY HILL 3-4420

ARHOLD B. ELRIND HERBERY ZELENRO

December 14, 1959

Re: Hudson & Manhattan Railroad

BROTHERHOOD OF RAILRCAD TRAINMEN Standard Building Cleveland 13, Chio

ATTENTION: President W.P. Kennedy

TO

Zelenko & Elkind, Dr.

To professional services rendered in May of 1959, including preparation of Record on Appeal, analysis, conferences and telephone conferences with attorneys representing the R.E.L.A., research, motion in the United States Court of Appeals for a preference, argument of motion for a preference.

.\$3,000.00

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ZELENKO & ELKIND COUNSELORS AT LAW 285 MADISON AVENUE NEW YORK 17 N Y

MURRAY HILL 3 4420

ARHOLD & ELKIND

. December 14, 1959

Re: Hudson & Manhattan Railroad

BROTHERHOOD OF RAILROAD TRAINMEN, Standard Building Cleveland 13, Ohio

ATTENTION: President W.P. Kennedy

TC.

Zelenko & Elkind, Dr.

To professional services rendered in August of 1950, including application to Supreme Court of the United States for extention of time within which to file petition for a writ of certiorari, conferences, correspondence, etc.

\$500.00

[fol. 1216f]

100 pk 12/17/59

1258

PES MADISON AVENUE NEW YORK IT, N.Y MURRAY HILL 3-4420

December 14, 1959

Re: Hudson & Manhattan Railroad

BROTHERHOOD OF RAILROAD TRAINMEN Standard Building Cleveland 13, Ohio

ATTENTION: President W.P. Kennedy

TO

Zelenko & Elkind, Dr.

To professional services rendered in March of 1959, including conferences, analysis

mproval 1K

December 30, 1999 Deer Sire and Brotheres Hindly deposit the attached check in the assunt of \$5,414.34 to the Gradit of the General Pand of the Brotherhood. Preternally yours, C. R. Meher, Chief Clerk Mr. H. J. Elislager, Cashier (with check)

MCELROY, YOUNG, MARLEY, MARTIN & DO

PRANCIS L MOSLAST (106 6) MURRAY SUMM BI SMADE YBUMS BORDON M. MANLEY FILLIAN S. MARTIN STRACUES S. NEW YORK

PERSONAL & CONFIDENTIAL

December 22, 1959

Mr. C. R. Maher, Chief Clerk Legal Aid Department Brotherhood of Railroad Trainmen Standard Building Cleveland 13, Ohio

Dear Brother Maher:

I enclose a check in the amount of \$5,414.34, constituting payment on behalf of the following members for investigations made of their claims by the Brotherhood of Railroad Trainmen. All of these cases have been settled.

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Fraternally yours,

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JMD: bh

1261

pril 5, 1940

Joseph James J

Hr. H. P. Bennety Provident

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Str. E. S. D. Chase Council Secretary & Treasurer

Please deposit the attached shock in the servict of \$1,000,00.

to the Smarel Paul of the Brotherhood.

Preternally years,

CONT. TO

see Mr. M. J. Mislager, Contar (with check)

[fol. 1218]

IN THE CHANCERY COURT OF THE CITY OF RICHMOND, VIRGINIA

1262

1218

PLAINTIPP'S CHASE EXHIBIT "I"

Gund of Sun of S

Hr. H. P.

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- B. Tulling # 737
- C. Collers # HI
- C. M. Ruston # 133
- Also Burer # 450.

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I. L. Mary, Old Got Sported of Land Oresal

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on the M. J. Ellalague, Cabaler (with 5 shorts)

1263

March 31, 1960 Mr. V. P. Benthly Mr. W. J. Well Pear Sire and Brotheres Mintly deposit the attached shock in the amount of \$10,510.00 to the credit of the Concrel Fund of the Brotherhood, Preternally yours, 0. R. Mahor, Chief Clerk Department of Legal Councel ees Mr. Mal. Mislager, Oushier (with sheek) 1220] 1220

In the Chancery Court of the City of Richmond, Virginia

DEPARTMENTAL PAY ROLL RECORD

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[fol. 1228]

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DEPARTMENTAL PAY ROLL RECORD

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[fol. 1232]

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DEPARTMENTAL PAY ROLL RECORD

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15 1.50	25000	J15	6714.M1 15		0000
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15 7909 AUG 1 15	25000	7 ME 14	-8887 mg 1 14		200000 ,
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DEPARTMENTAL PAY ROLL RECORD

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10 15 7575 ms 15	20000	Trans. and	20000	
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##15 7554 WE 1 3 0	20000	AR 30 8602 APR 15 30	15000	
1015 76491 1 19	20000	1 1 15 0686 MY 1 15	175cc	
2 760 W: 16 31	20000	W 29 0602HV 16 31		
1730 WL 15	20000	1 15 8726 m 1 15	1750	
des land	20000		20000	
MID 7020M1 15	20000		20000	
1 23 1 700 m 26 31	20000	At 31 8861 JU 16 31	20000	
1 15 7900 ms 15	20cmcl	16 16 \$887 AUG 1 34	20000	
1 7944 as 15 31	20000	AUG 31 2891440615 31	20000	200
7100 1 15	20000	Que 127 8935 8/115, 23:23	20000	
10 10 80 5 E 16 30	20000	P15 89(000) 15	20000	
1015 6043HT 15	20000	180 30 89195016 30	20000	. 1
10 10 10 10 10 31	30000	MET 15 9 05 6 927 1 15	1 20000	
WELA 0141mm 15	30000 30000	1 100 900 1001 16 30		
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# 1815 82 2 PET 15	20000	10030 9171 VIA 30	20'000	
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CONTRACTOR OF RAMEDON TRANSPORT

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DEPARTMENTAL PAY BOLL BECORD

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DEPARTMENTAL PAY ROLL RECORD

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PROTHERHOOD OF RAILROAD TRAININGS

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BEPARTMENTAL PAY ROLL RECORD

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15 7373 FEB 1	19	25000		25000 25000	
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14 1457 M	1 15	26000	100 13 8477 MAR 1 15	135000	
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7 2 10 1911	1 7	15000	100 29 8682 NN 16 31	175cc	
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115 0043 CT	15	35000		20000	
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DECIMINATION OF BARDOAD TRANSPORT

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PAY BOLL RECORD

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DEPARTMENTAL PAY BOLL RECORD

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GENERAL PAY ROLL RECORD

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5 7973 01 15	20000	FEB 13 83 5 TEB 1 15	300cc
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010 1750 AR A 30	20000	MR30 86024R 15 3.0	15000
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31 17007 m 16 31	20000	M 31 88 1 M 16 31	20000 118
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131 704AH 15 31	20000	ME 31 89 425 15 31	20000 17
14 /400 SP 1 15	200 00	EP 15 89 250 15	20000
	20000	EP 30 8 99 0 50 16 30	20000
13 0.06165 1 19 31 0.10667 16 31	30000	10715 905 071 TS	20000
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PAY BOLL RECORD

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DEPARTMENTAL PAY ROLL RECORD

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DEPARTMENTAL PAY ROLL RECORD

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[fol. 1267]

IN THE CHANCERY COURT OF THE CITY OF RICHMOND, VIRGINIA

PLAINTIPP'S CHASE EXHIBIT "K"-1950

SCHEDULE NO. 22

LEGAL AID BUREAU BROTHERHOOD OF RAILROAD TRAINMEN

Year ended December 31, 1950

INCOME

	Recoveries and refunds on per- sonal injury damage claims Expanses				\$ 73,930
	Salaries	\$1	13,837.84		
	Less refunds		2,693.93	\$111,143.91	
	Convention expenses—Schedule			0	
	No. 20 :	-		26,571.16	
	Pay roll taxes	\$	5,324.14		
	Less refunds		30.35	5,293.79	
	Traveling expenses	\$	3,138.88		
	Less refunds	0.7	17.94	3,120.94	1
-				2,182.80	
	Rent			1,206.51	12
	Office supplies and expenses			980.95	
	Postage			300.30	1 1
	Portion of Tax Department expense			503.97	0
	Telephone and telegraph		11/	224.14	
	Light and power			72.30	
	Repairs			48.24	
	Towel service			37.71	1000
	Annual audit expense	-		20.00	151,40
	NET EXPENSE			5 1 1	\$ 77,47
			1		
,	RECONCILEMENT		199		
	Cash disbursements-Schedule		3 /		
	No. 21			\$154,148.64	
	Cash receipts—Schedule No. 21			- 76,672.47	
	NET EXPENSE			\$ 77,476.17	4

NET INCOME

PLAINTIPP'S CHASE EXHIBIT "K"-1951

SCHEDULE NO. 22

LEGAL AID DEPARTMENT BROTHERHOOD OF RAILROAD TRAINMEN

Year ended December 31, 1951

INCOME			
Recoveries and refunds on per- sonal injury damage claims			\$154,604.02
EXPENSES			
Salaries	\$118,710.98		4. F. W.
less refunds	363.91	\$118,347.07	
Pay roll taxes	\$ 5,645.65		
less refunds	10.88	5,634.77	
lègal expenses	4.1	3,842.89	
Traveling expenses		3,164.50	
Rent		2,178.03	
Postage		987.38	241
the supplies and expenses		805.79	1 11
Portion of Tax Department		502.12	
famiture and fixture—Sched-	- 1	302.12	
ule No. 31		314.31	
lelephone and telegraph		257.42	
ght and power		70.21	
Invel service		35.78	
annual audit expense		20.00	
Repairs		15.75	136,176.02
NET INCOME			\$.18,428.00
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\$ 18,428.00

[fol. 1269]

Развитиръ Снаве Ехнивит "К"-1952

SCHEDULE NO. 22

LEGAL AID DEPARTMENT BROTHERHOOD OF RAILBOAD TRAINMEN

Year ended December 31, 1952

INCOME

INCOME			
Recoveries and refunds on pe	or- ms	4	\$142,658.6
Expenses			. 19
	A101 E70 00		19
Salaries	\$131,579.99	4101 104 00	
Less refunds	475.90	\$131,104.09	
Pay roll taxes	\$ 5,743.26		
Less refunds	7.95	5,735.31	-
Musualing amongod	Maria Maria	4,886.26	
Traveling expenses		2,422.42	
Rent		1,170.71	lu .
Legal expenses		989.45	- 11/1
Postage	• .	972.70	
Office supplies and expenses	****		
Portion of tax department		627.54	
Telephone and telegraph		231.18	
Light and power		78.60	
Repairs		51.87	7 14
Towel service		42.36	
Furniture and fixtures Sch	ed-		
ule No. 31		34.34	
Annual audit expense		20.00	
English among and drawer	•	19.67	-148,379.5
Freight, express and drayag		14.01	
. D		*	
DISBURSEMENTS IN EXC			\$ 5,720,8
OF INCOME	····· 0 · · ·	34 1	\$ 0,1209
		2.11	
RECONCILEMENT			
Cash disbursements-Sched	ule .		2.0
No. 21		\$148,863.35	
Cash receipts—Schedule No.	21	143,142.54	
		A . E 700 91	

PLAINTIFF'S CHASE EXHIBIT "K"-1953

SCHEDULE NO. 24

LEGAL AID DEPARTMENT BROTHERHOOD OF RAILROAD TRAINMEN

Year ended December 31, 1953

INCOME			
Recoveries and refunds on per- sonal injury damage claims			\$187,577.35
EXPENSES			
Salaries	\$142,390.14		
Less refunds	814.48	\$141,575.66	
Payroll taxes	\$ 6,377.85		11/3/11/2
Less refunds	14.47	6,363.38	2
Traveling expense	\$ 5,213.83		
Less refunds	94.33	5,119.50	
Bent		2,508.12	
Office supplies and expenses		2,060.96	
Postage -	0	1,211.28	
Portion of Tax Department			
expense		623.27	
furniture and fixtures—Sched-			
ule No. 33	14 -	311.27	
Telephone and telegraph	19	245.39	81
light and power		103.43	
Repairs		49.52	
Towel service		46.34	
Annual audit expense		20.00	160,238.12
INCOME IN EXCESS OF DIS-			0
BURSEMENTS			\$ 27,339.23
RECONCILEMENT			
Cash receipts—Schedule No. 21		\$188,500.63	
Cash disbursements—Schedule			
No. 21		161,161.40	

\$ 27,339.23

[fol. 1271]

PLAINTIPF'S CHASE EXHIBIT "K"-1954

SCHEDULE NO. 24

LEGAL AID DEPARTMENT BROTHERHOOD OF RAILROAD TRAINMEN Year ended December 31, 1954

6	INCOME Recoveries and refunds on personal injury damage claims		7	\$116,474.5
				4-2-12-20
	Salaries	\$141,249.35 656.41	\$140,592.94	
			1. 0	
	Payroll taxes	\$ 6,684.58 25.74	6,658.84	
	Rent		2,555.36	1
	Traveling expense	\$ 1,656.59		
	Less refunds	77.44	1,579.15	
	Postage		1,205.08	
	Office supplies and expense		706.21	
	Portion of Tax Department expense		599.10	
	Telephone and telegraph		384.11	
	Legal expense		200.00	
	Light and power	-	112.18	
	Furniture and fixtures—Sched-			
	ule No. 34		102.08	
	Towel service		44.06	
	Repairs		27.50	
	RepairsAnnual audit expense		20.00	154,786.6
	DISBURSEMENTS IN EXCESS			
	OF INCOME		. 0	\$ 38,312.0
		/ 6		
7	RECONCILEMENT	, /		A 111 / 1
	Cash disbursements—Schedule	Y		-1.
	No. 20		\$155,546.20	
	Cash receipts—Schedule No. 20		117,234.17	
	NET EXPENSE		\$ 38,312.03	
		**		

PLAINTIPP'S CHASE EXHIBIT "K"-1955

SCHEDULE NO. 24

LEGAL AID DEPARTMENT BROTHERHOOD OF RAILBOAD TRAINMEN

Year ended December 31, 1955

INC	20	ME.	60	
		**		4

Recoveries and refunds on personal injury damage claims

\$208,034.99

EXPENSES

Salaries	- \$1	64,960.24	
less refunds	0	1,352.40	\$163,607.84
Payroll taxes	.\$	7,868.53	
Less refunds		38.78	7,829.75
Rent			2,652.69
Traveling expense	\$	1,638.47	
less refunds		5.00	1,633.47
fortion of Stenographic			11016
Department expense	4. "		1,597.02

Office supplies and expense 1,299,50 legal expense 750.00 Postage 716.54 Portion of Tax Department expense. 681.69

Telephone and telegraph 198.65 light and power 116:65 Repairs 43.75 Towel service 40.17 Furniture and fixtures-Schedule No. 34 36.05

Annual audit expense NET INCOME

RECONCILEMENT Cash receipts—Schedule No. 20

Cash disbursements— Schedule No. 20

NET INCOME

\$ 26,811.22 \$209,431.17

20.00

181,223.77

182,619.95

\$ 26,811.22

[fol. 1273]

PLAINTIFF'S CHASE EXHIBIT "K"-1956

SCHEDULE NO. 24

	BROTHERHOOD OF	BAILBOAL	TRAINME	N
	Year ended	December 31,	1956	
	INCOMB			- 1
	Recoveries and refunds on per- sonal injury damage claims			\$202,840
	ExPENSES	00 41 4		
	Salaries Less refunds	\$172,472.32 101.61	\$172,370.71	-
			0.001.79	127
. 0	Payroll taxes		9,201.73	1 1
	Rent		2,695.56	89
Special Control	Traveling expense		1,989.64	6 0 2 0
	Office supplies and expense		1,300.64	
	Legal expense		1,000.00	
	Portion of Tax Department		795.06	
	expense		754.25	
	Postege	" " " "	754.25	
	Portion of Stenographic		200 77	ST.
	Department expense		396.77 215.24	
-	Telephone and telegraph			*
	Light and power		131.61, 38.93	
	Towel service		35.00	
-	Repairs			190,950
	Annual audit expense		25.00	130,330
in '	NET INCOME			\$ 11,889
(RECONCILEMENT			
	Cash receipts—Schedule No. 20			\$202,941
	Cash disbursements—	and the second		1
	Schodule No. 20	1 1 19		191,051

\$ 11,889.89

Schedule No. 20

NET INCOME

PLAINTIPP'S CHASE EXHIBIT "K"-1957

SCHEDULE NO. 24

LEGAL AID DEPARTMENT BROTHERHOOD OF BAILBOAD TRAINMEN

Year ended December 31, 1957

INCOME			11.0
Recoveries and refunds on per- sonal injury damage claims			\$203,423.28
EXPENSES			
Salaries	\$185,325.04		
Less refunds	463.84	\$184,861.20	
Payroll taxes		- 10,338.91	100
Legal expenses		4,805.22	
Rent		2,695.56	
Traveling expense		1,988.89	
Office supplies and expense Portion of Tax Department		960.21	
expense		936.06	
Postage		545.90	
Furniture and fixtures— Schedule No. 34		221.66	
Telephone and telegraph		212.99	
light and power		130.31	
Towel service		34.91	
Repairs		32.90	
Annual audit		25.00	
Portion of Stenographic			
Department 'expense		11.57	
Surety bonds and insurance—	/		
Schedule No. 35		6.40	207,807.69
NET EXPENSE			\$ 4,384.41
RECONCILEMENT			
Cash receipts—Schedule No. 21 Cash disbursements—			\$203,896.53
Schedule No. 21			208,280.94
NET EXPENSE	1		\$ 4,384.41
	- /		

[fol. 1275]

PLAINTIFF'S CHASE EXHIBIT "K"-1958

SCHEDULE NO. 24 LEGAL AID DEPARTMENT BROTHERHOOD OF RAILBOAD TRAINMEN

Year ended December 31, 1958

INCOMB

Recoveries and refunds on personal injury damage claims

Schedule No. 21 Cash receipts—Schedule No. 21

NET EXPENSE

\$157,002.27

\$206,534.63

157,015.99 \$ 49,518.64

	EXPENSES	4 4 4 1		
	Salaries		\$175,845.84	
	Legal expenses		11,886.01	
	Payroll taxes		10,363.69	
	Rent		2,695.56	
	Traveling expense		2,030.65	
	Portion of Tax Department			
	expense		900.47	
	Postage		689.03	
	Office supplies and expense	•	630.70	
	Furniture and fixtures \$	574.50		
	Less refunds	2.00	572.50	0 ;
113	Telephone and telegraph		457.42	
	Light, heat, and power	1	139.37	1111
	Rent and maintenance of			
	leased property	- F	85.64	
- 3	Surety bonds and insurance	88.87		0
. 0	Less refunds	11.72	77.15	1
	Repairs		75.35	and a
	Towel service		37.88	
	Annual audit		25.00	
	Freight, express, and drayage		8.65	206,520.91
	NET EXPENSE			\$ 49,518.64
	RECONCILEMENT	2		
	Cash disbursements—			4000 EREC

PLAINTIFF'S CHASE EXHIBIT "K"-1959

SCHEDULE NO. 24

LEGAL AID DEPARTMENT BROTHERHOOD OF RAILBOAD TRAINMEN

Year ended December 31, 1959

\$126,980.73

1,187.50

9,246.39

304.20

INCOME

Recoveries and refunds on personal injury damage claims

\$158,080.06

EXPENSES

Salaries less refunds

Traveling expense

Payroll taxes Legal expense less refunds

Rent

Office supplies and expense Postage

Portion of Tax Department expense Telephone and telegraph light and power

Repairs Towel service Annual audit

Bent and maintenance of leased equipment freight, express, and drayage

Surety bonds and insurance NET EXPENSE RECONCILEMENT

Cash disbursements-Schedule No. 21 Cath receipts—Schedule No. 21

\$125,793.23 16,335.73

9,809.06 8,942,19

2,754.96 882.49 775.42

> 772.92 358.95 143.89 78.35

37.01 25.00

21.88 9.08

.66

166,740.82 8,660.76

> \$168,232.52 159,571,76

8,660.76

NET EXPENSE

[fol. 1277]

PLAINTIFF'S CHASE EXHIBIT "K"-1960

SCHEDULE NO. 25

DEPARTMENT OF LEGAL COUNSEL BROTHERHOOD OF RAILBOAD TRAINMEN

	Year ended De	ecember 31, 1	960	
Expensi	18	11	man training	
Salaries Less refund		\$51,496.69 333.42	\$51,163.27	
Legal expen			23,569.24 6,084.30	
Traveling en		,	3,633.24 2,774.76 940.03	
Postage Office suppli	es and expense and telegraph		890.82 609.13	
Portion of T	'ax Department		301.19	
Light and p Repairs			151.78 63.40 38.01	
Towel servi Surety bone Annual aud	ds and insurance	Lough	31.23 25.00	
	aintenance of		21.88	\$90,2
Less recove	ries and refunds	1		23,4
NET E	(PENSE			\$66,8
RECONC	CILEMENT			
Cash disbut Schedule				\$90,6 23,7

NET EXPENSE

CITY OF RICHMOND, VIRGINIA

PLAINTIPP'S CHASE EXHIBIT "L"

Operations of Legal Aid Department

BROTHERHOOD OF RAILROAD TRAINMEN-Cleveland, Ohio

(Name of Department of			YEAR			YEAR 1955
Balance-Jan. 1st	· · · ·		\$ 73,360.49	0	36 M	\$ 35,048.46
Receipts Refund from Regional Counsel (for Investigators and Office Expense)			116,474.58 \$189,835.07			208,034.99 \$243,083.45
Less—Expenses (Net) Investigators Salaries Payroll Taxes	\$105,797.36 4,994.13	\$110,791.49		\$129,682.50 6,185.50	\$135,868.00	
Office Salaries Payroll Taxes Expense	\$ 34,795.58 1,664.71 7,534.83	43,995.12		\$ 33,925.34 1,644.25 9,786.18	45,355.77	j
Total Expenses (Net)	10-		154,786.61		,	181,223.77
Balance—December 31st			\$ 35,048.46	a		\$ 61,859.68

Operations of Legal Aid Department

BROTHERHOOD OF RAILBOAD TRAINMEN-Cleveland, Ohio

(Name of Department changed to "Department of Legal Counsel" effective January 1, 1959)

			YRAR 1956			YEAR 1957
Balance Jan. 1st	*/		\$ 61,859.68			\$ 73,749.57
Receipts Refund from Regional Counse (for Investigators and Office Expense)	1 -		201,013.30			203,423.28
		. 0	\$262,872.98			\$277,172.85
Less—Expenses (Net) Investigators Salaries Payroll Taxes	\$136,695.08 7,296.27	\$143,991.35	(m) ca (m)	\$145,022.69 8,064.35	\$153,087.04	
Office					1 194	
Salaries	\$ 33,930.29			\$ 39,838:51		
Payroll Taxes Expense	1,824.07 9,377.70	45,132.06		2,274.56 12,607.58	54,720.65	1
Total Expenses (Net)		A Sales in	189,123.41	Water Land		207,807.69
Balance December 31st			\$ 73,749.57		- /-	\$ 69,365.16

[fol. 1980]

Sales reportationed the

Operations of Logal Aid Department

BROTHERHOOD OF RAILBOAD TRAINMEN-Cleveland, Ohio

(Name of Department changed to "Department of Legal Counsel" effective January 1, 1959)

			YEAR 1958			YEAR 1959	
Balance-Jan. 1st	133		\$ 69,365.16			\$ 19,846.52	
Receipts Refund from Regional Court (for Investigators and	nsel		156,902.27	——————————————————————————————————————		158,080.06	
Office Expense)	11.0		\$226,267.43			\$177,926.58	
Less—Expenses (Net) Investigators	•						
Salaries Payroll Taxes	\$140,007.63 8,290.95	\$148,298.58		\$ 93,810.74 7,356.79	\$101,167.53		
Office					• • • • • • • • • • • • • • • • • • • •		
Salaries	\$ 35,838.21			\$ 31,982.49			
Payroll Taxes Expense	2,072.74 20,211.38	58,122.33		2,452.27 31,138.53	65,573.29		
Total Expenses (Net)	THE REST		206,420.91	7	1	166,740.82	
Balance—December 31st	201	. 1	\$ 19,846.52			\$ 11,185.76	1323
	. 10						

[fol. 1282]

IN THE CHANCERY COURT OF THE CITY OF RICHMOND, VIRGINIA

PLAINTIFF'S BYINGTON EXHIBIT "A"

GEORGIA, POLE COUNTY.

IN THE SUPÉRIOR COURT OF SAID COUNTY

The Grand Jurors selected, chosen and sworn for said County, to-wit:

1. Phil H. Brewster, Sr. FOREMAN

2. Stovall W. Trawick

13. Geo. H. Mason

3. C. Mack Jones

14. Raidon M. Moates

4. Joe B. Bennett

15. Grady Dempsey

5. B. F. Ziglar

16. Horace E. Pugh

6. Geo. S. Boston

17. Pierce Dooley

7. David H. Young, Jr.

18. Stanley Wright, Sr.

8. Winfred Statham

19. F. W. Aldridge

9. J. Elmo Parrish

20. B. L. Moody

10. John P. Pickett

21. C. J. LeMay

11. Clyde H. Tuck

22. J. W. Carpenter

12. C. P. Yonn

23. Lawrence Willis

In the name and behalf of the citizens of Georgia, charge and accuse B. G. Byington hereafter referred to as the accused, of the County and State aforesaid with the offense of Barratry for that the accused on the 4 day of July, in the year of our Lord Nineteen Hundred and Fifty-nine in the County aforesaid, did then and there, unlawfully and with force and arms:

seek out and propose to another person, to-wit: Mrs. Betty Ann Queen, that she present and urge a suit in tort for the

death of her husband, Jimmy D. Queen, against the Central of Georgia Railway Company.

contrary to the laws of said State, the good order, peace and dignity thereof.

Polk Superior Court.

Prosecutor.

February Term, 1961

DAN WINN Solicitor General

SPECIAL PRESENTMENT

[fol. 1283]

We, the Jury, find the defendant, B. G. Byington, guilty, This the 12th day of July, 1961

S

C. B. BURKE, JR. Foreman.

WITNESSES FOR THE STATE

Mrs. Betty Ann Queen Doeg

Parker Whitfield.

The Defendant

B. G. Byington

waives copy of Indictment and list of witnesses, also waives being formally arraigned and pleads not guilty.

WAYNE W. GAMMON

Solicitor

J. S. KILPATRICK

July 11, 1961

Defendant's Attorney

No. 168		9	
,	CITY COURT O	POLK COUNTY	
	D. P. No.		
	CASE No.		
	Polk Supe	erior Court	
	February	Term, 1961	y E
	Тне	STATE	
		S. YINGTON	
	Barr	ratry	/
			True Bill
		PHIL BREW	STER Foreman
Returned int	DAN WINN, So		y, this 6 day of
March 1961			0
		h L	Hagan Clerk
			1. 1. 1. 1. 1. 1.

SPECIAL PRESENTMENT

[fol. 1284]

No. 168

CITY COURT OF POLK COUNTY
January Term, 1961
Charge: Barratry
Verdict of Guilty
State of Georgia

B. G. BYINGTON

When upon, it is ordered, considered and adjudged by the court that the defendant aforesaid do serve and be confined in a Public Works Camp in said State or elsewhere, as the proper authorities may direct for the full term of 12 months, to be computed from the date of this sentence.

It is further ordered that upon payment by said defendant of the sum of \$750.00 dollars including the cost of this prosecution at any time before the expiration of this sentence, that defendant be allowed to serve said 12 months' sentence on probation during good and lawful behavior, and under the supervision of the Probation Officer of this Court.

This 12th day of July 1961

Judge City Court of Polk County.

GEORGIA, POLK COUNTY

I, F. L. HAGAN, Clerk of the City Court of Polk County, do hereby certify that the above and foregoing is a true and correct copy of the sentence of the Court passed upon the defendant, B. G. Byington, as same appears of record in this office.

WITNESS my signature and seal of said Court hereto affixed.

This 4th day of October, 1961.

Clerk City Court of Polk County, Georgia

(SEAL)

[fol. 1285] Georgia, Polk County.

I, F. L. Hagan, Clerk of the City Court of Polk County, Georgia, the same being a Court of record and having a seal, hereby certify that the Hon. Olin T. Flournoy is the duly elected, qualified, and presiding Judge of the City Court of Polk County, Georgia.

In WITNESS WHEREOF, I have hereunto set my hand and seal of office, this the 4th. day of October, 1961.

/s/ F. L. HAGAN Clerk of the City Court of Polk Co., Georgia.

(SEAL)

GEORGIA, POLK COUNTY.

I, OLIN T. FLOURNOY, the duly elected, qualified and presiding Judge of the City Court of Polk County, Georgia, hereby certify that F. L. Hagan is the duly elected, qualified and serving in his official capacity as CLERK of the Superior Court of Polk County, Georgia, and also as Clerk of the City Court of Polk County, Georgia.

In WITNESS WHEREOF, I have hereunto set my hand and official signature, this the 4th day of October, 1961.

Judge of the City Court of Polk County, Ga.

(SEAL)

GEORGIA, POLK COUNTY.

I, F. L. Hagan, Clerk of the City Court of Polk County, Georgia, the same being a Court of record having a seal, hereby certify that attached and foregoing two typewritten instruments is a true copy of the Indictment in the case of The State vs. B. G. Byington, being Case No. 168 in the City Court of Polk County, Georgia, charging the said B. G. Byington with the offense of barratry, together with the Plea of Not Guilty thereon and the Verdict of Guilty

returned by the jury, together with the sentence imposed by the Court, dated the 12th day of July, 1961, as the same appears of file and record in the Office of the Clerk of the City Court of Polk County, Georgia.

In Wirness Wheneor, I have hereunto set my hand and seal of office, in the City of Cedartown, County of Polk, State of Georgia, on this the 4th. day of October, 1961.

Clerk of the City Court of Polk County, Georgia.

(SEAL) [fol 1286]

THE STATE

B. G. BYINGTON

Indictment for Barratry. City Court of Polk County, July Term, 1961. Trial July 11-12, 1961, Hon. Olin T. Flournoy Presiding. Charge of the Court.

Gentlemen of the jury, this is the case of The State of Georgia against B. G. Byington, who is charged with the offense of barratry, based upon an indictment which was returned at the February Term, 1961, of Pork Superior Court, which charges and accuses the defendant that he the accused, on the fourth day of July, 1959, in the courty aforesaid, did then and there unlawfully and with force and arms seek out and propose to another person, to-wit, Mrs. Betty Ann Queen, that she urge a suit in tort for the death of her husband, Jimmy D. Queen, against the Central of Georgia Bailway Company, contrary to the laws of said state, the good order, peace and dignity thereof.

To the charge as set out in this indictment the defendant has filed his plea of not guilty, which means that he denies all the allegations of this indictment. Those allegations in the indictment and his plea of not guilty form the

issue which you are sworn to try.

The burden is on the state to prove each and every allegation set out in this indictment, to your satisfaction, beyond a reasonable doubt. Lady and gentlemen, the term "reasonable doubt" means the doubt of a reasonable man and juror who is honestly in search of the truth of the case, which doubt grows out of the evidence or the want of evidence, or the circumstances in the case.

In all criminal trials, lady and gentlemen, the defendant enters into the trials with the presumption of innocence in his favor. This presumption remains with him throughout the trial and until and unless it is overcome to your satisfaction and beyond a reasonable doubt. The term "reasonable doubt" means the doubt of a reasonable man and juror who is honestly in search of the truth of the case, which doubt grows out of the evidence or the want of evidence or the circumstances of the case, as I have just charged you.

I charge you, lady and gentlemen, that the indictment in this case that I have read to you alleges that the de-[fol. 1287] fendant committed barratry on the fourth day in July, 1959, in that he did seek out and propose to another person, to-wit, Mrs. Betty Ann Queen, that she present and urge a suit in tort for the death of her husband, Jimmy D. Queen, against the Central of Georgia Railway Company. In this connection I again charge you that the state must prove, beyond a reasonable doubt, first, that the defendant did seek out Mrs. Betty Ann Queen. If the defendant did not seek her out he would not be guilty of any offense. Secondly, the state must prove beyond a reasonable doubt that the defendant; after seeking out Mrs. Queen, must have proposed to her that she sue the Central of Georgia Railway Company for the death of her husband. If the defendant sought out Mrs. Queen, but did not propose that she present and urge a suit against the Central of Georgia Railway Company, he would not be guilty of any offense.

Therefore, if you find that the defendant did not seek her out, or if he did seek her out he did not propose that she present and urge a suit against the railway company, or if you have a reasonable doubt that he did either of those acts, it would be your duty to acquit him.

I charge you further, lady and gentlemen, that the evidence shows that Mr. J. D. Queen was a member of the Brotherhood of Railway Trainmen at the time of his death. and that this Brotherhood was the duly recognized bargaining agent for the craft of which Mr. Queen was a member. The evidence also shows that Mr. Byington was the chairman of the Central of Georgia Railway Company for the Brotherhood of Railroad Trainmen. I charge you that as such general chairman, Mr. Byington had the right to visit the widow of the deceased trainman, and on such a visit he further had the right to explain to her what rights and benefits were hers under the law and under the provisions made by the Brotherhood. If Mr. Byington's visit was made for the purpose of giving such explanation. I charge you that he would not have sought her out as charged in the indictment, and you would acquit him.

I further charge you that in such a visit for the purpose of explanation to Mrs. Queen of her rights, Mr. Byington further had the right to suggest to Mrs. Queen that she seek legal advice, and suggest to her the name of one whom Mr. Byington considered to be competent to give such advice, and Mr. Byington would have the right in such [fol. 1288] case to take Mrs. Queen to seek such legal advice. If you find under the evidence in this case that Mr. Byington limited himself to the exercise of these rights, it would be your duty to acquit him. I charge you, on the other hand, lady and gentlemen, if you find that in addition to the services that I have just talked to you in these requests to charge by the defendant, if the defendant went to Mrs. Queen also for the purpose of urging a suit against the railroad, and sought her out, in addition to the other reasons that I have just stated to you, you would be justified in finding him guilty of a violation of the law as charged in the indictment.

Lady and gentlemen, you are the judges of the law and the facts in this case. You take the law as I have given it to you in charge, and apply it to all of the evidence introduced by the state and by the defendant, and you arrive at your verdict. If you find to your satisfaction, beyond a reasonable doubt, that the defendant at any time within a

two-year period prior to the issuance of the indictment, committed the offense as alleged in the indictment, you should find him guilty, and the form of your verdict would be. We the jury find the defendant guilty. If after hearing all the evidence and the defendant's statement there remains a reasonable doubt in your mind as to the guilt of the defendant, you should find him not guilty, and in that event the form of your verdict would be, We the jury find the defendant not guilty. In either case, when you have reached a verdict, write it on the back of the accusation, date it, have your foreman sign it, and return it into open court.

The foregoing three typewritten pages approved as correctly setting forth the charge of the court in the case stated. Let the same be filed as a part of the record in said case.

Judge City Court of Polk County.

[fol. 1289]

THE STATE

B: G. BYINGTON

Indictment for Barratry. City Court of Polk County, July Term, 1961. Trial July 11—12, 1961, Hon. Olin T. Flournoy Presiding.

REPORT OF THE EVIDENCE.

T. L. Williams, Official Reporter Dallas, Ga.

* 1. C	INDEX
Mrs. Neal Wills .	
Betty Ann Queen	Doeg
Billy Griffin	
Parker Whitfield	
B. G. Byington	
Gerald Griffin	
J. D. Stewart	

-1-

THE STATE

V. . . 0

B. G. BYINGTON

Indictment for Barratry, City Court of Polk County, July Term, 1961. Trial July 11-12, 1961, Hon. Olin T. Flournoy Presiding.

Appearances:

For the State, Solicitor General Wayne Gammon, Dan Winn.

For the Defendant, James S. Kilpatrick, Ed Sell.

Mrs. NEAL WILLS, sworn for the state, testified:

Q. You are Mrs. Neal Wills? A. Yes, sir.

Q. Where do you live? A. Route 1, Cedartown.

Q. How long have you lived in this area, Mrs. Willst

Q. Mrs. Betty Ann Queen, now Betty Ann Queen Doeg, is your daughter! A. Yes, sir.

Q. Do you remember the occasion when Mrs. Betty Ann's husband was killed about June 24, 1959? A. Yes, sir.

Q. Some short time after that where were they living, where was your daughter living? A. After her husband's death she lived with me, on Cedartown Route 1.

Q. Where had she been immediately before she came to your home out there? A. She lived on Russell Street in Cedartown.

Q. Did she go there from the hospital here? A. Yes, sir.

Q. Why was she in the hospital? A. She gave birth to her little son.

Q. Then she came out to you house around the first of July, is that right? A. Yes, sir.

Q. Do you know the accused, Mr. Byington? A. Yes. Q. When did you first see him, Mrs. Wills? A. It was on July 4, he came to our home.

Q. Was that July 4, 19691 A. Yes.

Q. Shortly after Betty Ann came to your house with her new baby? A. That's right.

Q. Was that the first time you had ever seen Mr. Bying-

ton! A. Yes, it was.

Q. Who was with him at that time? A. Parker Whitfield.

[fol. 1291] Q. He is an employee of the Central of Georgia railroad? A. Yes.

Q. I believe he was president of the local at that time,

was he? A. Yes.

Q. On this visit who was at your house when Mr. Byington came there? A. There was myself and Betty Ann and Christine Peek and Marjorie Reed and Mary Ann Wills.

Q. They all are relatives of yours and Betty Ann's? A.

Yes.

Q. Do you remember approximately the time of day that Mr. Byington came? A. Well, it was sometime in the after-

noon, around 2 o'clock I guess.

Q. When he got there what did he say was the nature of his visit? A. Well, he came in and said that he would like for Betty Ann to go with him to Birmingham for a settlement.

Q. Who did he want her to see in Birmingham! A. A

lawyer.

Q. Do you remember the name of the lawyer? A. Well,

it seems like it was a Mr. Reeves, I am not sure.

Q. How did he propose for her to go to Birmingham and see this lawyer? A. He said he would be glad to come and get her in his car and pay all the expenses for her to go, that it wouldn't cost her anything.

Q. Was anybody going to go except her! A. He said I could go with her if she wanted me to, and her expenses

and mine would be taken care of.

Q. What did she tell him about going with him? A. Well, at the present time she told him she didn't want to

Q. Did she tell him why? A. She said she wanted to

settle with the railroad.

Q. And then what did he tell her? A. He told her that she could get a lot better settlement if she would go to Birmingham than she would if she settled with the railroad.

Q. Did she go with him then? A. No, sir.

Q. What did she tell him then? A. She told him she didn't want to go, you know, she wanted to settle with the railroad.

Q. Was there anything said about the use of an attorney

at all to Mrs. Betty Ann? A. I don't remember.

Q. On that particular occasion? A. Not on that particu-

lar visit, I don't remember.

Q. Now, did you yourself have a conversation with Mr. Byington on that particular visit? A. Well, not on that [fol. 1292] particular visit I did not, because I was in and out of the room most of the time, taking care of the baby.

Q. Later did you have occasion to see or hear from Mr. Byington again after that visit on July 41 A. Yes, he came back to our house about the middle of August.

Q. Do you know whether or not he had been in contact with Betty Ann between the middle of August, his second visit, and his first visit! A. Yes, she had a long-distance telephone call from him.

Q. And he came again in the middle of August? A. Yes.

Q. At that time where did you and Betty Ann live? A. We lived at 110 Park Street, Cedartown.

Q. Who was with Mr. Byington at this time? A. He came alone.

Q. Do you recall who was present when he came to 110 Park Street? A. My daughter Betty Ann and my daughter-in-law Mary Ann, and myself.

Q. What did he say was the purpose of his visit the second time, in August! A. Well, he said he came to see if he couldn't persuade per to go with him to Birmingham to see this attorney, to get a greater settlement.

Q. What did she tell him? A. She said she was not in-

Q. Do you know whether or not at that time she had

an attorney! A. No, sir.

Q. Was there anything mentioned about her having an attorney? A. He asked if she had one and she told him no, but if she needed one she would get one here in Cedar-

town, because there was good lawyers here.

Q. What did he have to say about that? A. He said there wasn't any of them here that could get her as good a settlement here as she could get if she would go with him to Birmingham. He said the lawyers here wasn't capable of handling things like that.

Q. That the lawyers here were not capable of trying the

case! A. Or handling one, that was his words,

Q. How did Betty Ann react to this, did she go with

him to Birmingham then? A. No, she did not.

Q. What did she tell him at that time? A. She told him she wished he would go back to Birmingham and leave her alone, because she was going to settle with the railroad, and what she got would please her.

[fol. 1293] Q. Did you have any conversation with him at that time? A. Not at that time.

Q. After the second visit in the middle of August did you later see him again? A. Yes, he came sometime in Sentember.

Q. And who was with him that time? A. He was by

himself.

Q. Where were you and Betty Ann living? A. At the

same place, Park Street.

Q. Do you recall who was at the house when he came the third time! A. Betty Ann and Mary Ann and myself.

Q. Mary Ann Wills? A. That's right.

Q. And what was his reason for making the third trip! A. Well, he said he came to see if he couldn't persuade her one more time to go to Birmingham with him, and she told him she wasn't going, and then I had to ask him to please leave, because Betty Ann was not interested in going to Birmingham, that she was going to settle with the railroad.

Q. You yourself told him that? A. Yes.

Q. Was that the first time that you yourself had taken

stand in the discussions with him! A. Yes.

Q. Did Betty Ann receive suy letters from Mr. Byington during that time? A. Yes, I believe she did receive one that I know of.

Q. You saw one? A. Yes.

Q. Do you remember what kind of car Mr. Byington was driving at the time he came? A. He was driving a Cadillac, I don't know what model.

Mr. Kilpatrick: I don't think it is material about what kind of a car was involved, or whether he came by train or how he got there, and we object to the question about what kind of an automobile he was driving.

The Court: What is the purpose of the question? Sol.-Gen.: We don't have any difference on the type of car, but I do believe the circumstances, the question will show that that part of it is admissible.

The Court: I will allow him to go ahead and find

out where he is going with it.

Q. How did Mr. Byington propose to take you and Betty Ann to Birmingham? A. Well, he said it would be very comfortable in his car, because he had an air-conditioned car to take us in, a Cadillac, that's what he said he had.

[fol. 1294] Q. Do you remember whether or not Mr. Byington had any papers or anything with him at the time he came! A. Yes, he came in with a little brief case. He wanted to show Betty Ann some copies, he said, of cancelled checks where he had made other large settlements for other people that had such accidents as her husband had.

Q. Do you remember what he told her about this case, its value or whether it had any value or not? A. He said it would be a much larger settlement if she would go with him down there than she could get here if she settled with the railroad.

Q. Was there anything mentioned about any expenses?

A. He said our expenses would be paid.

Q. Do you remember whether or not there was any offer of money? A. I don't remember.

Q. This visit where Mr. Byington came to your home the first time, where was that? A. On Boute 1, Cedartown.

Q. Is that home in Polk County, Georgia? A. Yes, sir. Q. And where he came to the home two times in on

Park Street! A. Yes.

Q. Is Park Street in Polk County, Georgia! A. Yes.

Cross examination.

By Mr. Kilpatrick:

Q. Mrs. Wills, what date did your son-in-law get killed on the railroad, do you recall? A. Yes, sir.

Q. What date was it? A. June 24, 1959.

Q. Had you prior thereto known Mr. Byington! A. No, sir.

Q. Had you or not at any time consulted with your sonin-law in regard to the railroad union? A. No, sir.

Q. You knew nothing about that? A. No, sir.

Q. Did you at any time know anything about the benefits that the Brotherhood of Railroad Trainmen furnished its members? A. No. sir.

Q. Now, the day you say I believe July 4 that Mr. Byington came to see your daughter, you say it was July 41 A.

Yes.

Q. You stated that she had a baby at that time? A. Yes. Q. And you made a number of statements in regard to statements that Mr. Byington made. Do you know out of your own knowledge, or did your daughter tell you? A. What I heard, I know.

[fol. 1295] Q. What you heard you know; is that what you just told, or did you tell some things your daughter had told you? A. No, I am telling the truth.

Q. I am not saying you didn't tell the truth, I am saying the things you told the jury that Mr. Byington and on

that visit, was that told you by your daughter, or did you hear that? A. I heard that.

Q. You overheard that? A. I heard it.

Q. Did you stay in the room? A. I was in and out.

Q. You were in and out, you didn't know what else was said in the meantime? A. No, when I was out of the room I didn't know.

Q. Now, Mrs. Wills, have you consulted the solicitor's

office this morning about this case? A. No, sir.

Q. You haven't talked to Mr. Winn or Mr. Gammon about it today? A. No, sir.

Q. Have you talked to them on prior occasions? A.

No, sir.

Q. Have you ever talked to them about the testimony you are giving? A. No, sir.

Q. Have you ever talked to me! A. No, sir.

Q. Or to Mr. Byington? A. No, sir.

Q. Or to Mr. Sell? A. No, sir.

Q. Do you know whether or not the union of which your son-in-law was a member sent flowers to the funeral? A. The Brotherhood?

Q. Yes. A. I think so.

Q. And do you also recall that Mr. Byington, when he came there, told your daughter that he was general chairman of the union in this section and that his job was to assist those who were injured by the railroad? A. I don't remember that.

Q. What you have stated, is it your statement that that's all the conversation that was had between Mr. Byington and your daughter, or were there other statements made by him? A. I don't know, I just told what I heard.

Q. In other words, you heard no other statements other than the statements that you have just made? A. I heard

what I stated.

Q. Now, were you with your daughter during this period from July 4 to September, were you with her most of the time? A. Yes, sir.

[fel. 1296] Q. Do you know whether or not she talked to anybody else about the case? A. No, I don't think so.

Q. You don't think so! A. I don't remember it.

Q. She could have, is that correct? A. I don't know.
Q. Did you discuss this with your daughter quite frequently? A. No, sir.

Q. You didn't keep up with her association with the rail-

roadt A. No, sir.

Q. Now, you testified that on July 4, and one time in August, do you recall the exact time, the day? A. I remember the date.

Q. What date was it? A. The first visit was July 4 and

the second visit was August 2.

Q. And did you state that he came the third time? A. Yes, it was sometime in September, I don't remember that date.

2. Where was your daughter living at that time! A. She

was living with me on Park Street, 110 Park Street.

Q. Now, was your husband present at the time Mr. Byington first came to visit your daughter? A. Yes, he was at home. I don't think he was in the room part of the

Q. He was present? A. Well, I think he was at home,

but I don't think he was in the room.

Q. You and he are separated? A. Yes.

Q. Mrs. Wills, on the third trip you say Mr. Byington came, you say it was the early part of September! A. Yes, sir.

Q. Could you give the jury some idea of the date, was it the first or the 10th or the 13th or what? A. It was somewhere around the first of September or about the middle of September.

Q. Why do you recall that it was the first or middle of September! What makes you remember that! A. It was

just before Betty Ann's settlement.

Q. What date was the settlement? A. It was sometime close to that, I con't remember the date.

Q. Do you know what the settlement was? A. No, sir.

Q. Didn't anybody tell you that? A. I never asked.

Mr. Gammon: I object to that as being irrelevant and immaterial. She said she didn't know. The question is improper.

Mr. Kilpatrick: I submit that she said Mr. Byington encouraged her not to make a settlement, and I think it is proper to show what the settlement was, if she knows.

The Court: She said she didn't know. [fol. 1297]

Q. Do you know what the settlement was in this case? A. No. sir.

Q. I believe you said it was made directly with the railroad by Mrs. Queen, is that correct? A. That's right.

Q. Did Mr. Byington ever come back after the September visit? A. No, sir, not after the third visit, I didn't see him any more.

Q. In other words, he made three visits? A. Yes.

BETTY ANN QUEEN DOEG, sworn for the state, testified:

Q. Betty Ann, I want to ask you some questions. Speak loud so these gentlemen over here can hear you. You are Mrs. Betty Ann Queen Doeg! A. Yes, sir.

Q. Where do you live! A. I live at 339 East Fairmount.

Q. Is that here in Cedartown? A. Yes, sir.

Q. Were you married prior to July 4, 1959? A. Yes, sir.

Q. Who were you married to! A. Jimmy Doyal Queen.

Q. Do you have any children? A. Yes, sir.

Q. Where did your husband work? A. He worked for the Central of Georgia railroad.

Q. Were you employed? A. No, sir.

Q. I believe your husband was killed in a railroad accident during June, 1959, is that correct? A. Yes, sir. Q. What was the date he was killed? A. June 24, 1959.

Q. What was your condition at that time? A. Well, we was expecting a child at that time.

Q. When was the child born? A. June 27:

Q. Three days after your husband was killed? As Yes.

Q. How long were you in the hospital? A. About four or five days.

Q. At which hospital was this child born? A. At the Rockmart-Aragon Hospital.

Q. Was it a boy or girl? A. Boy.

Q. When you left the hospital where did you got A. To my mother's house.

Q. Where is that? A. Between Rockmart and Cedar-

Q. Is that the old Peek place on the Antioch road? A. Yes, sir.

[fol. 1298] Q. How were you feeling at the time you went to your mother's? A. Well, I was still taking medicine and everything, but I wasn't in too good shape.

Q. Were you at your mother's house on July 4, 19591

A. Yes, sir.

Q. Do you recall who was present during the afternoon of that day! A. My mother and my brother's wife and Christine Peek and Marjorie Reed.

Q. Did you have any visitors that afternoon besides

these relatives? A. Yes, sir.

Q. Who visited your home that afternoon? A. Mr. Byington.

Q. Is that Mr. B. G. Byington, seated at the table over

heref A. Yes.

Q. Was anyone with him! A. Parker Whitfield was with him.

Q. Who is Parker Whitfield? A. He works for the Central of Georgia railroad.

Q. Did you know they were coming? A. No, sir.

Q. Had you invited either one of them there? A. No, sir. Q. Did you have any conversation with Mr. Byington!

A. Yes, sir.

Q. Did he tell you what the purpose of his visit wast A. Yes, he come to take me to Birmingham.

Q. What did he want to take you to Birmingham for

A. To see a lawyer about suing the railroad.

Q. What was the lawyer's name ! A. Mr. Reeves (Rives!) I think it was.

Q. Had you ever known of this fellow before? A. No, sir.

Q. Had you ever known Mr. Byington before? A. No, sir. Q. Had you known Parker Whitfield before? A. No, sir.

Q. What did he tell you about this case, as to why you should go to Birmingham? A. Well, he said I wouldn't get

a fair settlement out of the railroad, that I needed a lawyer, and he said the lawyers here in Cedartown wasn't capable of handling the case.

Q. Did he say why? A. He said that I needed another

lawyer besides these here in Cedartown.

Q. How did he propose for you to go to Birmingham?.

Q. And who was to go with you? A. Me and my mother.

Q. How were your expenses to be paid? A. He said he would pay our expenses, both of us.

[fol. 1299] Q: How was he traveling the day he came to your house the first time? A. In a car, a Cadillac.

Mr. Kilpatrick: We object to that. I don't see the relevancy of it.

The Court: I sustain the objection. I rule it out.

Q. What was your physical condition at that time? A. Well, I had just come from the hospital with the birth of a child.

Q. Did you have any conversation with reference to your physical condition with the defendant? A. Well, I told him I was not able to go to Birmingham at that time.

Q. What was his reply? A. Well, he wanted me to, and

he said when I got able to go he would come back.

Q. Did you have enough money to live on? A. Yes, sir.

Q. Did you have any conversation with the defendant concerning finance? A. He said if I didn't have the money he would give me money along to live on until I got a settlement.

Q. At the time Mr. Byington came to your house did he have anything with him? A. Yes, he had a brief case.

Q. Did you see anything in that brief case? A. Yes, he showed me some checks, cancelled checks that was made out to this lawyer in Birmingham, he had got these settlements for people.

Q. What did you tell Mr. Byington? A. Well, I told him

that I was not interested in going to Birmingham.

Q. How long did he stay at your house, how long did all this take? A. He stayed all the afternoon.

Q. After this visit that we have been talking about did you hear from him again? A. Yes, sir.

Q. What was the next communication that you had from

him! A. I believe I got a letter from him.

Q. Did he ever call you on the telephone! A. Yes.

Q. Do you recall which was first, the telephone call or the letter! A. I believe the telephone call was first, and then I received a letter.

Q. What were the circumstances concerning the telephone call? A. He called to see if I was able to go to

Birmingham.

Q. Where did he call from? A. At Parker Whitfield's.

[fol. 1300] Q. And where were you? A. I was at home.

Q. How far was Parker Whitfield's house from the place where your mother was living? A. The second door.

Q. Where is this? A. 119 Park Street, Cedartown.

Q. How long had he been living there! A. Just a short while:

Q. You say he went to Parker Whitfield's house? A. Yes, sir.

Q. And you talked to Mr. Byington? A. Yes.

Q. What did he say? M. He just asked me was I ready to go to Birmingham, and I told him no, I was not able to make the trip.

Q. Did you have any further communication with Mr.

Byington? A. Well, he came again.

Q. Approximately what was the date of that visit, if you knowf : A. That was in August.

Q. August 1959† A. Yes.

Q. What did he have to say at that time? A. Well, he was still asking was I wanting to go to Birmingham for a settlement, and I told him no.

Q. Did he have anything with him that time? A. Yes, he

had a brief case.

Q. Did you see anything in the brief case? A. Yes, he

had these copies of checks and papers.

Q. Did you have any further discussion with him concerning finances! A. He said if I didn't have enough money to live on he would lend me money to live on until I got my money from the railroad.

Q. After that date did you have any further communication with him? A. Yes, he came back again.

Q. What was the purpose of that visit? A. Well, he

still wanted to take me to Birmingham.

Q. And what did you tell him? A. I told him I wasn't going, I wasn't interested, if I had to have a lawyer I would get some lawyers around here. I told him I knew some lawyers around here.

Q. What was his reply? A. He said well, the lawyers around here wasn't capable of handling a big case like mine.

Q. Did your mother have any communication with him on this occasion, the third trip? A. Yes, she told him that I was not going to Birmingham and she would like for him to leave, if I needed a lawyer there was plenty of lawyers. here.

[fol. 1301] Q. Do you know anybody in Birmingham? A. No. sir.

Q. Did you know this lawyer, Rives† A. No, sir.

Q. Have you ever been to Birmingham ! A. No, sir.

Q. Have you ever had any further communication from Mr. Byington since the third visit? A. No, sir.

Q. Did you ever write Mr. Byington a letter A. Yes, sir.

Q. What kind of a letter did you write him? A. Well, he was saying he would be the one to get the money, and everything like that, and I just wrote him and told him that I would like for him to come on up where I could get my money and get it over with.

Q. He had told you what? A. That he would be the one

to pay me himself.

Q. That he would be the one to collect the money and pay

it to you! A. Yes, sir.

Q. Did you have any conversation with Mr. Byington concerning his own pay check? A. Yes.

Q. What was that? A. He said if I would go to Birmingham and let him take this case to this lawyer-

Mr. Kilpatrick: I see no relevancy in what Mr. Byington stated.

The Court: I don't know what she is going to say. Go ahead and finish your statement.

The Witness: He said if I would go to Birmingham with him he would guarantee his pay check as long as he lived.

Q. Was there any condition attached to that? A. If I

would go to Birmingham.

Q. Did he represent any value of your case to you, did he tell you how much the case was worth? A. Yes, he said a hundred and seventy-five and a hundred and five.

Q. I show you state's exhibits A and A-1. Will you tell

me what those two pieces of paper aref

Mr. Kilpatrick: May I see them?

The Court: Yes, before you answer the question let him look at it.

Q. What are these? A. This is a letter that he wrote.

Q. To whom is it addressed? A. To me.

Q. Did you receive this letter? A. Yes, sir.

[fol. 1302] Q. Is this the envelope that you received it in A. Yes, sir.

Q. How is that letter signed? A. B. G. Byington.

Q. Is that one of the letters that you spoke of on your direct examination that you received from Mr. Byingfon! A. Yes, sir.

Q. I show you state's exhibit B and B-1. Will you examine these pieces of paper and tell me what they are!

A. This is a letter that I got from him.

Q. Is this the other letter that you referred to in your direct examination that you received from Mr. Byington! A. Yes, sir.

Q. Did you receive this document through the United

States mail? A. Yes, sir.

Q. Was it contained in that envelope? A. Yes, sir.

Q. How is this letter signed? A. B. G. Byington.

Q. What is the date of that letter? A. July 23, 1959.

Q. Did you at any time ever give Mr. Byington any encouragement about going to Birmingham? A. No, sir.

Cross examination.

By Mr. Kilpatrick:

- Q. Mrs. Doeg, when did you marry Mr. Queen? A. In 1959.
- Q. What time! A. It was in August sometime, I have forgotten the date.

Q. August '59? A. Fifty-eight.

Q. Was he working on the Central of Georgia railroad

at that time? A. Yes, sir.

Q. Do you know whether or not he was a member of the Brotherhood of Railroad Trainmen at the time you married . him! A. Yes, sir.

Q. Did you ever have occasion to discuss the Brother-

hood with him in any way whatsoever? A. No, sir.

Q. Did you or not know of any benefit the Brotherhood offered its employees? A. No, sir.

Q. Had you heard of Mr. Byington on any occasion? A.

No, sir.

Q. Now, Mrs. Doeg, how many people would you say that you have discussed this claim with before you made a settlement, between July and September of 1959? A. Well, there was two or three.

Q. Two er three people? A. Yes.

Q. Now, where was the other people from, do you recall?

[fol. 1303] A. One was from Atlanta, I don't remember his name.

Q. Do you recall who that was from Atlanta? A. No.

Q. Do you know what business that person was in that you talked to from Atlanta? A. He wanted the case too.

Q. What do you mean, he wanted the case? A. Well, he wanted to try to get me to sue the railroad.

Q. Tried to get you to sue the railroad? A. Yes.

Q. Do you know what his occupation was? A. No, I don't.

Q. Didn't he tell you what his occupation was? A. He did, but I don't remember.

Q. Did he tell you why he came to see you! A. Yes.

Q. How many visits did this man from Atlanta make to see you? A. One.

Q. Now, you testified that Mr. Byington came on July 41 A. Yes.

Q. July 4, 19591 A. Yes.

Q. That was the first trip! A. Yes.

Q. Was this visit from this man from Atlanta prior to that time or after that time? A. It was after, I believe.

Q. It was after that time? A. I believe so.

Q. Do you recall when Mr. Byington came the second time, what the date of that was? A. August 29.

Q. Did you invite him to come and talk with you about

this case! A. No, sir.

Q. You did not invite him? A. No, sir.

Q. Did you ever invite him? A. No, sir.

Q. Now, the man from Atlanta, did he come between the times that Mr. Byington came? A. No, sir.

Q. It was not between that time! A. No.

Q. Was it after August 29 that the man from Atlanta came to see you! A. I am not sure.

Q. Now, do you recall that he had a brief case with him!

A. He had some papers.

Q. He also had some pictures and checks and things,

didn't he? A. I am not sure, but-

Q. You say that Mr. Byington showed you checks and that he had papers and things that he pulled out of his

[fol. 1304] brief case. You could be mistaken about that, couldn't you? A. No, sir.

Q. Did you talk with me about this case? A. Yes, sir.

Q. Was that about Wednesday preceding July 3, when this case was set for trial? A. Yes.

Q. Didn't you tell me that you had just forgotten about what happened down there that day? A. Yes.

Q. You said you had forgotten all about it? A. Yes.

Q. What made you remember the details that you have testified here today? A. Well, it just came to me.

Q. Have you been talking to Mr. Winn and Mr. Gammon about it since I talked with you? A. Yes.

Q. You have talked with them numerous times, haven't you! A. No. sir.

Q. Didn't I ask you at the time I came to see you, when

I was preparing to defend this case, as to whether or not Mr. Byington had tried to get you to file suit against the Central of Georgia railroad and you said he hadn't, is that correct! A. Yes.

Q. And it is still correct today, isn't it? A. No, sir.

Q. It is not correct today! A. No.

Q. How come it to change between that day and this day! A. Well, I just remember things.

Q. In other words, you just changed it around? A. No,

sir, things just came to me.

Q. Isn't it true that when Mr. Byington came to see you he told you he was general chairman of the union committee of the railroad, and in that capacity it was his duty to contact those who were injured, or the widows of those who were deceased, under the constitution he had the authority to tell them that they could confer with competent legal counsel in connection with anything they might have in case of accident, did he tell you that? A. He was trying to get me to go to Birmingham—

Q. The question I am asking you is, did Mr. Byington introduce himself to you as general chairman of the grievance committee of the Brotherhood of Railroad Trainmen and it was his duty to help all those who had lost their husbands, connected with their employment with the Central of Georgia railroad, or was injured in that capacity, his duty was to refer them to competent legal counsel, is that

correct? A. Yes.

[fol. 1305] Q. Now then, Mrs. Queen, you talked to somebody else about this case too, didn't you, during the time this man from Atlanta was coming and the time Mr. Byington came up there, didn't you! A. Yes.

Q. Do you know who they were! A. No, I don't.

Q. Do you know what he talked to you about this case, what he said about it? A. No, sir.

Q. You have forgotten all about that? A. Yes.

Q. He could have shown you some checks, is that correct? A. I don't remember.

Q. And he could have shown you some papers, is that correct? A. I don't remember.

Q. And he could have had a brief case, is that correct! A. I don't remember.

Q. In other words, you are testifying that Mr. Byington had all the things you have talked about because you talked to at least three people, is that correct? A. I saw he had papers.

Q. Now then, I will ask you did you or not talk with the claim agent from the Central of Georgia railroad? A. Yes.

Q. Did he tell you or ask you a question about Mr. Bying-

ton's business up here? A. Yes.

Q. In fact, the question he asked you was centered around the fact as to whether or not Mr. Byington was attempting to send you to some lawyer to sue the railroad? A. Yes.

Q. And you discussed the claim settlement, is that right! A. No-you mean with the railroad claim agent, yes.

Q. And then you let him settle the case for \$25,000, is

that right? A. Yes.

Q. Now, Mrs. Queen, didn't Mr. Byington, some time after your husband's death, did he or not send flowers to the funeral, do you recall that? A. I don't remember.

Q. For the Brotherhood of Railroad Trainment A. I

don't remember.

Q. Don't you know there is a lodge in Cedartown sponsored by the Brotherhood! A. Yes, sir.

Q. Now, Mrs. Queen, or Mrs. Doeg, your mother is Mrs. Wills. You heard her testify! A. Yes.

[fol. 1306] Q. Have you and her talked about your testimony this morning before you came up here today? A. No, sir.

Q. Have you ever talked with her about what she was going to say and what you were going to say? A. No, sir.

- Q. Is it not true that your mother was not present on part of the occasions when Mr. Byington was talking with you about this case? A. She was there the second two. times he came, but the first time she was just in and out of the room.
- Q. In other words, it is your impression that she did not hear any of the conversation during the first visit is that correct? A. Well, she heard some.

Q. But you don't know of course what she did hear? A.

Q. Now, on the first visit that Mr. Byington made, do you know whether or not he came with someone? A. Parker Whitfield.

Q. Did you know him prior to this occasion? A. No.

Q. Did he tell you who he was? A. Yes.

Q. You have identified a letter dated July 10, 1959, from Mr. B. G. Byington, general chairman. Tell the jury what this letter was in response to? A. He wanted to know when he came, if I moved, he said when I moved, to be sure and notify him where I had moved to.

Q. Did you do that? A. Yes.

Q. Is that the letter you wrote him July 8, 1959 (presenting)? A. That is not my handwriting.

Q. Do you know whose handwriting it is? A. No, I don't.

Q. Do you know who would have been sending your return address as Mrs. Jimmy Queen, 110 Park Street, Cedartown, Georgia? A. Not unless I got my brother's wife to write the letter.

Q. Did you live at 110 Park Street on July 87 A. Yes.

Mr. Winn: If she wrote him or if this letter was written at her direction, we have no objection to it.

Q. I believe you testified you invited Mr. Byington to come and see you? A. No. sir.

Q. Did you ever invite him to come and see you? A. No,

Q. Now, Mrs. Doeg, I hand you, dated July 27, 1959, and signed Mrs. Betty Ann Queen, a letter reading, "Dear —18—

[fol. 1307] Mr. Byington: I would like for you to come and try to settle this for me without having to go and talk to the law or having to go to court. I would like for you to come as soon as you can, because I need some money." Did you write that letter? A. Yes.

Q. Then you invited Mr. Byington to come and talk with you about your claim, is that right? A. Yes, because he said he would be the one to pay me. That's why I wrote him.

Q. Isn't it a fact that Mr. Byington told you that they had counsel, the Brotherhood, that he had the authority to

give their names and you could select any attorney you wanted to, that you could select your own attorney? A. No, sir.

Q. Why would he have any reason to tell you to take your

case to Birmingham? A. I don't know.

Q. Didn't you appreciate the fact that he was going to carry you to Birmingham, that he was helping you?

Mr. Winn: I object to that as being— The Court: I will let him cross her.

Q. Did you or not appreciate Mr. Byington's position in representing the Brotherhood of your deceased husband, Mr. Byington was representing the union to which he belonged, the Brotherhood of Railroad Trainmen, and he had told you that it was in his capacity to do this, and offered to help you, to take you and your mother to the place, if you wanted to go, and if you didn't you were under no obligation, isn't that what he said? A. No, sir, he tried to get me to go.

Q. In stating that he tried to get you to go, he was there

you said on July 4 and introduced himself! A. Yes.

Q. And then you wrote him on July 27 to come back and see you, in fact you wanted him to come, or you wouldn't have written him? A. Well, he said he would be the one to pay me, and I thought he was the one to pay me. I wanted to get it over with.

Q. And you needed some money at that time? A. Yes.

Q. In fact you talked about money quite a bit after your husband died, is that right? A. No, sir.

Q. At the time Mr. Byington visited you on July 4 did he explain to you the benefits that your husband, or you, would

[fol. 1308] have under the railroad retirement act? A. Yes, sir.

Q. Later on in the time, you were needing money, were you also negotiating with the claim agent of the railroad at the time you were asking Mr. Byington to come back and help you about it? A. No, sir.

Q. When did you first talk to the claim man from the

Central of Georgia railroad? A. I don't remember.

Q. Was it after or before Mr. Byington's first visit? A. I don't remember that.

Q. Was it before or after the second visit that you testified to? A. I don't remember.

Q. In other words, you don't remember much about this at all, do you! A. Well, yes, I remember some about it.

Q. Just like you told me the other day, you just know Mr. Byington came and somebody came from Atlanta and the claim agent came and somebody else came and that is all you know about it, isn't that right? A. That's what I told you.

Q. That you had had so many people talk to you you just didn't want to hear about it any more? A. That's what I

told you.

Sol.-Gen.: I offer in evidence state's exhibits A, A-1, B and B-1. I will say that the description on A-1 is not offered, it has nothing to do with the case.

Mr. Kilpatrick: No objection.

State rests.

Mr. Kilpatrick: At this time the defendant would like to move the court for an acquittal in this case, and we have prepared a written motion. The motion is based on the fact that the state is required to prove othat the acts alleged in the indictment are correct as alleged. The defendant's position in this case is that the testimony of the prosecutrix, Mrs. Queen her own festimony is that she invited Mr. Byington to come and see her, and that on the first occasion that he came to see her he identified himself as general chairman of the Brotherhood of Railroad Trainmen and that in that capacity it was his job to contact widows of deceased persons who were killed in their line of duty and who were members of the Brotherhood. She stated on cross-examination, as I recall it, that he did not urge her to file suit, and I think from her testimony he was certainly invited to come there other than the first trip, and that was a trip of explanation more or less, rather than a seeking out or hunting up of a person. Before a conviction would stand in this case, the state would have to prove beyond a reasonable [fol. 1309] doubt that he sought her out and proposed and urged, sought her out for the purpose of urging her to file suit, and she said that he did not. I don't know of any person who would know better than Mrs. Queen what she said. We ask for an acquittal in favor of the defendant.

After argument by the Solicitor General motion overruled.

BILLY GRIFFIN, sworn for the defendant, testified:

Q. Your name is Billy F. Griffint A. Yes, sir.

Q. What is your occupation? A. I am a switchman on the Central of Georgia railroad.

Q. How long have you been working for them? A. Fif-

teen years.

Q. Do you or not have a Brotherhood local, Brotherhood of Railroad Trainment A. Yes, sir.

Q. Are you or not a member of that organization! A. I

am.

Q. How long have you been a member of it? A. Ever since I have been working for the railroad.

Q. Were you or not a member on June 24, 1959? A.

Yes, sir.

Q. Did you know Jimmy Queen during his lifetime? A.

Q. And was he a member of that organization? A. Yes.

sir.

Q. Do you recall how long he had been a member? A. Well, not right off, the exact date. Jimmy joined I would say approximately three months after he was employed, and he was still a member when he was killed.

Q. Did you at this time hold an office with the Brother-

hood! A. Yes, sir.

Q. And do you now hold an effice with the Brotherhood!

Q. What was the office that you held? A. I was the local chairman for the local, the representative.

Q. Now, Mr. Griffin, to help the jury understand a little

bit about the Brotherhood, you say you were local chair-

manf A. Yes, sir.

Q. Just what is that? A. The local chairman handles all the local business of the local office, anything that comes up concerning working conditions or claims, anything on the local level, you handle it with the local officers, and then if you don't settle it it is processed on to the general chairman.

.Q. Speaking of the general chairman, are you familiar with his duties? A. Yes, sir.

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[fol. 1310] Q. Tell the jury something about that.

Sol.-Gen.: I believe the Constitution and by-laws would be the best evidence of what the duties of the chairman are.

The Court: I will let him state, if he knows.

Q. Go'ahead. A. Well, the general chairman takes anything that can't be settled on the local level and handles it with the higher officials, which would be the personnel department, when you hire offices of the railroad, any questions concerning working conditions or hours or pay.

Q. You are familiar with the Constitution of the Brother-

hood of Railroad Trainmen, are you not? A. Yes, sir.

Q. I will ask you specifically if you are familiar with the ruling on general rule No. 5 with regard to the general chairman's job in contacting survivors of a deceased employee, are you familiar with that section? A. Yes, sir.

Q. Is this the Constitution that I hand you? A. Yes, sir.

Q. And is this ruling on general rule 5 on page 142 and 143 of the Constitution? A. Yes, sir.

Rule identified as defendant's exhibit C.

Q. Do you know when Mr. Byington was notified in regard to Mr. Queen's death, if he was notified? A. I don't know the exact date, I would say it was some three or four days after his death. I had occasion to call Mr. Byington about some other business and talked to him, and he alreedy knew it.

Q. Do you recall about what time it was that you talked

to him! A. No, sir, I don't.

Q. Now, did you ever talk to Mrs. Queen yourself! A. Yes.

Q. About this death? A. Yes.

Q. Do you recall what conversation you had with her about it?

Mr. Winn: Unless it pertained to the relations of Mr. Byington with Mrs. Queen, I object to it as being irrelevant and immaterial.

Mr. Kilpatrick: We expect to show that it was connected to this matter. We expect to tie it up, and if we don't it will be ruled out.

The Court: Are you seeking to impeach Mrs. Queen!
Mr. Kilpatrick: No, sir, we are attempting to show
that a contact had been made with Mrs. Queen. I don't
think it would be impeaching, because she testified that
she invited Mr. Byington to come—

[fol. 1311] The Court: Any conversation out of the presence of the defendant would not be admissible.

Mr. Kilpatrick: I am asking the question. I submit that it would be proper evidence.

The Court: All right.

Q. Mr. Griffin, did you talk with Mrs. Queen at any time about this; the death of her husband? A. I talked with Mrs. Queen I believe the day after the boy was buried, pertaining to Jimmy's insurance. I went over her insurance policies with her and her rights in connection with the pension which she would be entitled to, seems like she was entitled to some pension pay at that time. I talked with her about it.

Q. Do you recall whether or not she mentioned Mr. Byington during that conversation? A. At that time I didn't know too much about it, I explained to her that Mr. Byington was the general chairman and he would be up here, I didn't know when he would be here, when he was tied up, but when he could come he would come and talk to her, that he was more familiar with what her rights was and could give her more information concerning it.

Q. Do you know whether or not under the constitution which you have identified, it is his duty to advise legal counsel?

Mr. Gammon: I beject to that as leading, and also what the witness's understanding is as to the meaning of the constitution—

The Court: The constitution is not in evidence yet.

I rule that question out until it is in evidence.

Mr. Kilpatrick: I would like to tender in evidence the constitution, identified as rule No. 5, page 142 and 143.

Mr. Gammon: We have no objection. The Court: Let it in

Q. When you told Mrs. Queen that Mr. Byington would visit her and explain things to her, what did she say to that? A. I don't recall the exact words that she said. It was agreeable to her to talk to him, but just the conversation that we had is not too clear; the things that I didn't know about he could explain to her, he would be here to help her settle everything that she was entitled to, and it was agreed on at that time and I didn't process it any further. I left it to the chairman to process.

· [fol. 1312] Q. What is the name of your local? A. B. Grady Byington No. 332.

Q. Was it named for the defendant in this case? A. Yes, sir.

Cross examination.

Q. I believe you said at the time this happened you were local chairman of the Brotherhood? A. Yes, sir.

Q. I believe my father is a member of your lodge? A. Yes, sir.

Q. The Brotherhood has lawyers that represent— A. They have got lawyers, yes.

Q. And they are what is known as regional attorneys, that's the way they are designated by the Brotherhood? A. I think so.

Q. They are designated as regional counsel? A. Yes, sir.

Q. Those lodges are by states? A. I am not sure.

Q. You do have the Brotherhood of Railroad Trainmen lawyers in Atlanta? A. Yes, sir.

Q. Lewis & Lewist A. I think so.

Q. You have known them beforef A. Yes.

Q. They have handled things for the lodge, haven't they?

A. Not for the lodge. They might have handled some for the members.

Q. In your capacity as local chairman you have received literature from them, haven't you? A. I don't receive it, the secretary receives it. I have heard it read.

Q. Signed by Lewis & Lewis, regional counsel, Atlanta,

Georgia, isn't that true! A. I suppose-

Q. Do you know a lawyer in Birmingham who is regional counsel? A. I don't know him personally.

Q. You have never been associated with him? A. No, sir.

Q. Ever had any correspondence from him? A. No, sir.

Q. You have never met him? A. No, sir.

Q. And the reason you haven't received any correspondence from him and the reason you haven't met him and the reason you are not sure who he is is because the regional counsel for people working for the Central of Georgia railroad living in Cedartown, Georgia, would be Lewis & Lewis in Atlanta, isn't that right? A. I don't understand the question.

Q. Isn't it true that the reason you, in your position as

[fol. 1313] local chairman, have received no communication from this lawyer in Birmingham, the reason you have received no literature from him, the reason you have had no communication with him, the reason you haven't heard read in open lodge any communication from him, is because he is regional counsel for Alabama, and Lewis & Lewis is regional counsel for the state of Georgia, isn't that a fact! A. I suppose so.

Q. Lewis & Lewis handles any agreements of the Central of Georgia in the State of Georgia? A. I don't know.

Q. Mr. Griffin, you stated that you talked with Mrs. Queen and explained to the best of your ability her rights pertaining to her insurance and any pension pay that her husband was entitled to, or any rights under the union contract with the railroad, is that right? A. Yes, sir.

Q. And your duty was to do that as local chairman, to

the best of your ability, subject only to the contract, your duties only pertained to the contract between the Brother-hood of Railroad Trainmen and the railroad company?

A. That's right.

Q. You didn't seek to advise her as to any lawsuit that

she might have? A. No, sir.

Q. And at the time you told her that Mr. Byington would come to Cedartown and explain to her her rights, you had reference to her rights under the contract between the Brotherhood and the Central of Georgia railroad, isn't that correct? A. Yes, sir.

Q. You did not tell her that he would come to Cedartown

to take her to a lawyer, did you? A. No, sir.

Q. Or propose that she go to a certain lawyer! A. No.

Q. Or that he would show her photostatic copies of cancelled checks and settlements of a lawyer in Birmingham, in an attempt to get her to go to Birmingham, you didn't tell her that, did you? A. No, sir.

Q. That doesn't pertain to the contract between the rail-road company and the Brotherhood, does it? A. Not that

I know of.

Q. Mr. Griffin, you identified a rule No. 5, the ruling on general rule No. 5 pertaining to the duties of the general chairman? A. Ye. sir.

Q. Do you know whether or not that rule has been further clarified by the Brotherhood! A. That book was pub-

lished-

Q. Do you know when that book was published? A. I

[fol. 1314] think that's the new book, I am not positive. I believe there has been a convention of them since the boy was killed, and possibly there might have been a word or two changed. This was 1960.

Q. As far as you know there hasn't been any change in Rule 5? A. I was referring to Rule 5, one or two words may be changed, but as far as the meaning of the rule, it

is the same.

Q. I hand you a document entitled "Grand Lodge Brother-hood of Railroad Trainmen." A. I don't recall having read one, I may have.

Q. Did you notice to whom it was addressed? A. Yes, sir.

Q. General chairmen and local chairment A. Yes.

Q. And you were local chairman on the date of that, were you not? A. Yes, in 1948.

Q. I hand you state's exhibit D-first, who is the presi-

dent of the Brotherhood! A. W. T. Kennedy.

Q. Will you tell me whether you have ever seen the letter and the opinion that is attached to the letter, have you ever seen a letter of that type? A. I don't recall it. I possibly have but I don't recall it.

Q. It is signed by W. T. Kennedy as president? A. Yes.

Q. Attached to that I call your attention to an opinion by the Supreme Court of Illinois. Have you ever seen that part of the exhibit before? A. I probably have, I don't recall it. It don't ring the bell if I read it.

Q. That's a ruling, state's exhibit C, that is a directive or ruling from the president of the Brotherhood? A. It

says it is a ruling.

Q. Do you recognize that as the type— A. That is the letterhead, it seems to be a ruling.

Re-direct examination.

Q. Mr. Griffin, in rule No. 5 it says on page 143, "When major personal injury or death cases are called to the attention of local or general chairmen, it becomes their duty to carry out the policy of the Brotherhood by informing the parties of the Brotherhood's facilities for investigating cases of this character, so that they can avail themselves of these facilities of the legal department if they choose to do so." Is that in effect now? A. Yes, sir.

Q. And that is correct? A. Yes.

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[fol. 1315] Q. Was the same rule in effect June 24, 1959, or July 4, 1959† A. Yes, sir.

Q. And was the rule in effect through September, 1959?

A. Yes, sir.

Re-cross examination.

Q. This rule (indicating) was also in effect, wasn't it!

A. I wouldn't know. That is the ruling of February 25,

1948. It could have been amended, I don't know; they have had a convention since that time.

Q. As far as you know, it is the same! A. As far as I

know, it is.

Q. You don't have a later one? A. Not that I know of.

Q. To your knowledge it does not exist? A. No, sir.

Mr. Kilpatrick: We have a constitution which has two words changed. He has been attempting to show that there is some amendment. I will be glad to substitute this book in lieu of that book.

The Court: That is not the same constitution, it is

later ! .

Mr. Kilpatrick: Yes, sir.

The Court: What is the date of that?

Mr. Kilpatrick: This is October 8, 1954.

The Court: Is there any objection to the substitu-

Mr. Winn: No, sir. It is not our contention that

there has been any change in it.

The Court: You are substituting Rule 5 in the constitution of 1954 for the one that was originally introduced, 1960. Let the record show that there is no objection.

Mr. Kilpatrick: That is general rule 5, page 131 and

132.

Sol.-Gen.: I offer in evidence circular No. thirty-

five one sixty-eight.

Mr. Kilpatrick: I don't see any particular relevance of this circular, dated February 25, 1948. The constitution puts that into effect in 1954, and even in 1960, I don't see the relevancy of it; it just encumbers the record.

Mr. Gammon: That is not a rule 5, but a ruling on rule 5. We bend over backward to let these gentlemen put in anything that they think will justify his conduct. I might state in my place that as far as we know, this ruling is in effect.

The Court: I will let it in.

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[fol. 1316] PARKER WHITFIELD, sworn for the defendant, testified:

Q. You are Mr. Parker Whitfield? A. Yes, sir.

Q. Where do you live? A. 335 Moyes Street, Cedar-town.

Q. What kind of work do you do? A. I work for the Central of Georgia railroad.

Q. Do you recall the date of Jule 24, 19591 A. Yes, sir.

Q. What makes you recall that? A. Mr. Byington came by my house and asked me would I carry him and show him where Mrs. Queen lived.

Q. Are you or not a member of the Brotherhood of Rail-

road Trainmen! A. Yes, I am.)

Q. And at that time and you or not hold an office with them? A. Yes, I did.

Q. What was that? A. President of the local lodge.

Q. What is the local lodge! A. 332.

Q. Does it have any other name? A. B. Grady Byington.

Q. Did you assist or go with Mr. Byington to see Mrs. Queen? A. I did.

Q. Do you recall about what time of day this was? A. It was in the afternoon.

Q. Do you recall the date? A. No, sir, I do not.

Q. It was sometime after the death of Mr. Queen, is that correct? A. Yes, it was.

Q. Now, where were you at the time Mr. Byington got in touch with you? A. I was at my home.

Q. Did he give you any reason why he wanted you to go with him! A. To show him where she lived.

Q. Do you know what business he had on that trip! A. He was going to see her about the death of her husband.

Q. And where did she live at that time? A. Out around Antioch.

Q. And you knew where she lived? A. I knew approximately, yes.

Q. And you went there with him, did you? A. Yes, I did.

Q. Now, did you hear him talk to Mrs. Queen? A. Yes, sir.

Q. And do you recall as to how he introduced himself! A. He introduced himself as B. G. Byington, general chairman of the Brotherhood of Railroad Trainmen.

Q. Do you know what transpired after that, did you stay with him while he was visiting Mrs. Queen? A. Yes, I

did.

[fol. 1317] Q. What transpired next after he introduced himself? A. He advised her as to what she would be entitled to under the railroad retirement for her and her child.

Q. Do you recall whether or not Mr. Byington had a brief

case with him? A. Yes, he did.

Q. Do you know whether or not he took it out? A. Yes.

Q. Do you recall him taking anything out of the brief ease? A. No, sir, I do not.

Q. Did he open the brief case or not? A. I don't know.

Q. Do you recall anything else that he might have told Mrs. Queen! A. No. sir.

Q. Do you recall what time in the evening it was that you and Mr. Byington visited Mrs. Queen! A. No, sir, other than that it was in the afternoon.

Q. Do you recall the possible length of time that you were at Mrs. Queen's house? A. I would say about an hour,

something like that.

Q Mr. Whitfield, do you recall more specifically whether or not there was any discussion between Mr. Byington and Mrs. Queen about her claim against the railroad? A. I didn't hear anything about the claim.

Q. And did you or not stay in the presence of both of

them during the entire visit? A. Yes, I did.

Cross examination.

Q. Mr. Byington did offer to take Mrs. Queen and her mother to Birmingham in an air-conditioned Cadillac? A. He offered to carry them over there. .

B. G. BYINGTON, sworn in his own behalf, testified:

Mr. Gammon: May I inquire whether or not the defense intends to subject him to cross-examination? I understand they have a right to do so or not. Mr. Kilpatrick: We are not going to raise any

objection to the cross-examination of this witness.

Q. Your name is B. Grady Byington! A. Yes, sir.

Q. You are the defendant in this case! A. I am, air.

[fol. 1318] Q. You realize that you have been charged with seeking out Mrs. Queen and urging her to file suit against the Central of Georgia railroad, you are aware of those alleged charges? A. I am aware of the charges, yes.

Q. Are you guilty of those charges or not? A. I am

not guilty of those charges.

Q. Now, Mr. Byington, where do you live? A. Macon, Georgia.

Q. And with whom are you employed? A. The Brother-

hood of Railroad Trainmen.

Q. What is your job with them? A. My title is general chairman, and as such it is my duty and responsibility to negotiate with management on working conditions and changes in rates of pay, or anything that pertains to working conditions; to investigate safety matters, handling those things with management and eliminate as much of the hazardous work as we possibly can, and to assist the members of our organization, or their dependents, where we can help them, and in cases of major personal injury, or where death claims occur, it is my responsibility and duty, under the constitution, that I will advise the employee in cases of injury, or in case of death the dependents of employees or members of our organization, as to their rights under the railroad retirement act, and things like that that we have put through national legislation, or assisted in doing, for the benefit of wives and children who may be left behind as a result, such as the case before this jury, and in doing that it is our duty to refer them and teil them that we do have available for them a staff of competent counsel, and as such there will be no cost to them for counsel.

Q. How long have you been in that job? A. I went on

this job ten years ago or a little better.

Q. Do you know Mrs. Betty Ann Queen? A. I have met Mrs. Queen and talked to her, to the best of my memory, on two occasions precisely, that is, person to person, on the dates of July 4, 1959 and again on August 12, 1959. I have not, since August 12, seen or talked to Mrs. Betty Ann Queen Doeg until I saw her in this courthouse.

Q. Mr. Byington, I will ask you this question: Do you

recall June 24, 1959? A. Yes, I do.

Q. What happened that day? A. I was involved in a

[fol. 1319] mediation process in Savannah, along with some other organizations, with management, and the secretary and treasurer of the local lodge here in Cedartown called me late in the afternoon, as well as I remember, and advised me that Brother J. D. Queen had accidentally been killed that day. I asked Brother Griffin, who was the secretary and treasurer, to please order a floral offering for me personally. I knew the lodge would send one and I wanted to send one myself, which is customary when one of our members dies. I usually pay my respects, especially if I can't be at the funeral. I also asked him to see that the

family was given my expressions of sympathy.

Q. Tell the jury when you first had contact with Mrs. Queen. A. To the best of my recollection and memory, and according to a record that I keep, this is a little book, the Providence Life Insurance Company gives me one every year, and for eight or ten years I have been keeping a little daily diary, and my records, according to the records that I made, and centainly I know that you will understand that I had no conception that anything would ever come up like this, I talked to Mrs. Queen for the first time on July 4, in the presence of Brother Parker Whitfield, who at that time was president of the lodge. It had been planned and discussed over the telephone that Brother Griffin would go with me out there, but because of his having been called to go to work on the railroad on that particular time when I got here, he was substituted for Brother Parker Whitfield, and he and I made the trip out to some place, I wouldn't know how to get back to it if I

had to today, but all I know is, you go toward Macon and turn left and go out some seven or eight or maybe nine miles, it seemed to me, and thereupon, on our arrival at the dwelling place where we knew Mrs. Queen was there, there was a lot of them sitting around, I wouldn't be able to identify positively any who were there, I couldn't contest as to the truthfulness of whether anyone that was mentioned was there or not, there were some people there. I had no secrets. I explained to Mrs. Queen that under the railroad retirement act she would be entitled to an annuity for the care and welfare of the child until the child reached the age of eighteen, and that she would further be entitled to an annuity for herself during the period that the child was yet under eighteen. At that time those benefits would become inactivated until she reached the age of 65, if she -31-

[fol, 1320] remained unmarried. If she did not elect to remain unmarried, I told her that she could get a lump sum settlement in lieu of waiting until age 65, and I gave her in generalities, to the very best of my ability, her rights under the railroad retirement act, and of course I expressed my sympathy for the bereavement that she had suffered and endured, and especially at a time when she was

about to bear her first-born child.

Q. Did you receive an invitation for the second visit from Mrs. Queen? A. At the first conference that I had, or visit that I made to Mrs. Queen, she told me that the place they were living, and she told the truth, wasn't fit for a dog to live in and that she was going to move, and that she appreciated me coming up there, and I asked her, I says, "If you will just drop me a post card and let me know where you have moved to, after you have got over childbirth and have become reconciled as much as you can to the loss of your husband, I would like to talk with you again because I think you will be better."

Q. Did you again see her? A. Yes.

Q. And do you recall getting any correspondence from

her? A. Yes, sir, I got two letters from her.

Q. I show you defendant's exhibit A and ask you if that is one of the letters you got from Mrs. Queen? A. Yes, sir, that was delivered at my office, it was received there,

and she says, "I have moved to the following address: 110 Park Street, Cedartown, Georgia, Mrs. Jimmy Queen."

Q. Now I show you defendant's exhibit B and ask you if you received that letter. A. Yes, sir, I received this letter from Mrs. Queen. It says, "Dear Mr. Byington: I would like for you to come and try to settle this with me without having to go and talking to the law, or having to go to court. I would like for you to come as soon as you can, because I need some money. Mrs. Betty Ann Queep."

Q. Did you go back to see Mrs. Queen after your first

visit on July 41 A. Yes, sir.

Q. Do you recall when you went back to see her? A. Yes, sir, it was on August 12 I believe, I can tell you for sure, yes, on the morning of August 12 I left Atlanta, Georgia, at 11 o'clock A.M. I arrived at Cedartown at 1 o'clock P.M., and I have notes here, "Visited Mrs. J. D. Queen, spent the night, saw lots of the boys." Next morning I went to

[fol. 1321] Brother Griffin's house and went over his books. Q. Do you recall that you did what your memorandum

says you did? A. Yes, sir.

Q. Now, in talking with Mrs. Queen do you recall what the discussion was on the second trip? A. Yes, sir. When she wrote me this letter about needing some money, they haven't submitted the other letter that I wrote her, I told her that it would be ill advised, or words to that extent, to discuss her financial affairs with anyone, other than some good reliable person, because it would probably fall upon the ears of management and would make it more difficult to reach an amicable settlement of the case that she had, and I cautioned her not to say anything about it.

Q. Did you or not take your brief case with you?

Yes, sir.

Q. Do you ordinarily do that when you go on these

trips? A. Yes, sir.

Q. I will ask you specifically, did, you or not show her any checks or any settlement for damage suits? A. I have never had in my possession any photostatic checks or settlements made by any attorney in the United States of America, so help me God, therefore I could not have shown Mrs. Queen any photostatic checks that was settlements

derived from any suit or anything else that anybody ever had. I deny that emphatically and without any reservation.

Q. I will ask you this, were you welcome? A. I will tell you what did happen. While I was at Mrs. Queen's home, on the very first visit, somebody had done been there and tried to get her to sign a paper, so she told me, to give them the case, and had left with her some literature that I had never seen before. It was a re-publication of an orientation that our man in Cleveland, Steve Lush, made, who was our legal department head, about how people, you know, should look after themselves when they get these personal injuries, and all that stuff, way back, some several years ago, before ever I became an officer of the Brotherhood, and that was the first time I had ever seen that and I asked her would she give me that piece of paper, and she did, she gave it to me that very afternoon, and I kept it in her file. I disremember the date.

Q. I show you defendant's exhibit D and ask you if that is the printed pamphlet that you have spoken of, dated January 1947. A. Yes, sir, that is the pamphlet that she gave me at my request, because I never had seen one.

[foi. 1322] Q. Do you know where she got that pamphlet? A. She said some person from Atlanta, and we named over a lot of people, including Tom Lewis, and that name didn't strike her, and finally the name Huey, Hulett or something of that sort was named, and it was my general understanding from her that that was the man and he I later learned was a lawyer from Atlanta, Georgia, that had been over here and had attempted to secure the case for himself.

Q. Did she tell you that he had left that document with her? A. Yes, six, she did tell me that. I think Mrs. Queen will substantiate the fact that she gave me this at my request.

Q. Did she or not tell you at the time anything in regard to the Central of Georgia claim man discussing it with her on any occasion? A. I told Mrs. Queen that a thing like that shouldn't be—if the claim agent for the Central of Georgia knew that she was in dire need of financial assistance, it would certainly give them an inclination to be

harder to deal with to get the type of settlement that I thought she was entitled to for the loss of her husband, and which she would certainly need to educate that child that was born some two or three days after the father had gotten killed, and that she should think a long time and seek good counsel. I did offer to take Mrs: Queen and her mother to either Atlanta, Georgia, or to Birmingham. Alabama. I says, "We have in either place attorneys that are recognized by the Bretherhood as being capable attorneys who are dealing in this field of law ethics and handling law matters of this kind, and they are fully qualified," and when I said that, I had no disrespect for any member of the bar in any place, and I deny what I have heard here today, that I said that there wasn't a lawyer in Cedartown capable to handle the case. I deny and repudiate anybody's statement that I said that, because it is not for me to judge the capableness of somebody that I don't know.

- Q. Is your job with the Brotherhood a full-time job? A. Yes, sir.
- Q. And you are paid a salary for that job? A. Yes, sir.
- Q. And are you allowed an expense account? A. Unlimited.
- Q. Your salary is fairly good pay, isn't it? A. Well, my salary is \$783.94 per month I believe, I can tell you in just a minute, and I am allowed ordinarily—my salary is \$783.92 a month, that is what I am paid as a salary, and

[fol. 1323] I am allowed \$15 a day for dining.

Q. Now, Mr. Byington, after you had talked— A. Let me modify and correct that. That's on the days that I am away from the office at Macon.

Q. Now, you have testified about seeing Mrs. Open on the second occasion. Have you been to see her six then? A. No, sir, I have not. I heard it testified here that I saw her in September. I was not in Cedartown, Georgia, during the month of September of the year 1959 on any date. I was in Cedartown, Georgia, in the year 1959 on March 21, 22, April 29, 30, May 1, 2, that was all before and prior to the accident. Following the accident I was here in Cedartown on July 4, 5, August 12, 13, October 4 and 5, and the last date was December 6.

Q. Mr. Byington, on the visits to Mrs. Queen that you have spoken of, did she or not show any interest in your presence, the explanation you had given her? A. Well, to me, Mrs. Queen, her mother and all present were very receptive and appreciative, and expressed themselves as appreciating my visit to them.

Q. Did they at any time tell you that they were tired of your coming there and didn't want to see you any more?

A. No, sir.

Q. I will ask you specifically, did you tell Mrs. Queen that you would give her your pay check for the rest of your life if she would go to Alabama with you? A. It positively did not, and that is absolutely the most absurd thing I have ever heard uttered from human lips, and I will swear that before my God in Heaven.

Cross examination.

Q. I show you state's exhibits E and E-1, which are a letter and an envelope, and ask you if you wrote that letter and signed that letter and placed it in the mail, addressed to Mrs. J. D. Queenf A. Yes, I wrote that letter.

Q. Your signature appears there on it? A. Yes, sir.

Q. And this is the envelope in which you mailed that letter! A. I wouldn't positively swear that that's the envelope that I mailed that particular letter in. I did mail it in an envelope which would serve the same purpose, and the same type envelope.

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[fol. 1324] Q. It is typed with a typewriter, isn't it? A. Yes, sir.

Q. I understand you are chairman of the Brotherhood of Railroad Trainmen? A. Yes, sir. Your father is a member of this lodge right here, a charter member.

Q. You have been in that position for approximately ten

years? A. Yes, sir, a little better.

Q. You have worked on the railroad for how long? A. I commenced my railroading career at the tender age of twelve years old, in 1923. I started off as a messenger boy.

Q. And as chairman of the Brotherhood you of course have certain duties, as has been brought out? A. Yes, sir.

Q. And those duties require or at least place the duty upon you or at least give you the privilege of contacting any member of your own craft who is injured, and advise them of their rights, is that correct, is that a fair statement? A. It is true that it has been the custom and practice, as I have been given to understand by my predecessors and everybody else, that that was the general way of

handling things.

Q. It is your understanding that it is your duty to contact members of the Brotherhood of Railroad Trainmen who are injured, or if they are killed to contact their families and advise them of their rights? A. When these matters are brought to my attention, yes. I don't go out to seek out those things; let's get the record straight. I haven't sought out anybody. Any time I go, they come to me or ask me. Now, I have been asked by a lot of people, sometimes that were not even members of this organization, just like anybody else will, you will meet a friend on the street and he may ask you about a certain thing if he has been involved in something, and you will freely give him your advice if you think you are capable to do that, and certainly I think that when we are asked by some people to take away the right of a citizen who tries to live right, to say things like I have said in this case, if those rights are to be denied the citizenry of the United States of America, we should take down the Stars and Stripes and put up Nikita Khrushchev's banner.

The Court: Don't make a speech; just answer the question.

The Witness: I am sorry.

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[fol. 1325] Q. Going back to my question, I believe we lost it, is it not your understanding that it is your duty to contact members of your organization who are injured in the line of duty, or the families of those who have lost their lives, to explain their rights? A. When these matters are brought to my attention, yes, sir.

Q. That is a fair statement? A. Yes, sir.

Q. The Brotherhood of Railroad Trainmen, what does that include? A. The word "trainman" would imply and

be understood to mean by our constitution any person that was a member, such as a baggage master, brakenamn, conductor, flagman, switchman, yard foreman, yard conductor.

road conductor.

Q. I understand you said just a few moments ago that when others outside of your craft requested information from you, that you freely gace it? A. Well, just as a matter of—no more than if anyone asked me about something, certainly I wouldn't be hesitant to talk with anyone. I think we have that right under our freedom of speech.

Q. You are free to give of your knowledge? A. The happiest moments of my life is when I think I am helping

some other person.

Q. You of course do not seek out anyone in any other crafts, do you? You don't go to see people in other crafts when they are injured or lose their lives, that is not a part of your duties, is it? A. I don't seek out anyone, but by circumstances that might come about, it might be by various reasons I am placed in a position that I would be asked information or give information.

Q. Let's be a little more direct about it, Mr. Byington. You know Mr. J. D. Stewart, who lives here in Cedartown? A. Yes, I know the name and I think I would know the man if I saw him.

Q. Did he ever ask you for any help? A. As my memory serves me, I did have a discussion with him while he was

a patient at the Central of Georgia Hospital.

Q. You went to see him, didn't you? A. No, sir, not precisely. Every time I am in Savannah, Georgia I visit every room in the hospital where we have got employees, whether they are trainmen or not.

Q. He is a member of the carmen's union and not a member of the Brotherhood of Railroad Trainmen, isn't he?

A. He says he has been knowing me all my life, and I always make a list when I go in there of everybody that I

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[fol. 1326] know, and I try to go around and see them all. I am on the hospital committee, and I have numerous complaints where the employees—we have a company hospital and we pay \$7.68 a month for it—

Q. May I interrupt you? Would you answer my question, did J. D. Stewart ask you for any help? A. I think we had a conversation.

Q. You do not wish to answer that question? You went to see J. D. Stewart, didn't you? A. I saw J. D. Stewart while I was there visiting other people at the Central of Georgia Hospital.

Q. And you proposed to him—he was injured at that time, wasn't he? He was injured on the job, wasn't he? A.

Yes, I think he was.

Q. He was still in the hospital at Savannah, Georgia, that was some six or seven weeks after the accident? A. I don't know how long it was after the accident.

Mr. Kilpatrick: I don't know what he is getting at. (Objection made privately to the court.)

The Court: I will allow him to cross him. Go ahead.

DQ. Mr. Byington, let's boil it down. Isn't it true that you went to see J. D. Stewart, who is a carman employed by the Central of Georgia railroad, who is not a member of the Brotherhood of Railroad Trainmen, after he had been injured on the job, and while he was a patient at the Central of Georgia Hospital at Savannah, Georgia, did you not go to see him and did you not ask him to let you take him to Birmingham and that he employ Al Rives to represent him, approximately the same state of facts as this young lady has testified to from the witness stand today, is that not true? A. I did not go to the Central of Georgia Hospital for the precise purpose to make a visit to Mr. J. D. Stewart. It was by coincidence that while I was making a routine visit at the hospital. I did discuss Mr. Queen's matter with him, I mean Mr. Stewart's, Mr. Stewart's matter, J. D. Stewart. I could not on oath say whether he broached the conversation about his injury, or whether I did, but a conversation was engaged in, and there was some mention about it and I will tell you this, I think that I even gave him one of my cards, I think he asked me what that lawyer's name was and I believe I wrote it on the back of my card, one of my business cards. I didn't go there to urge him, because, listen, I have got all

[fol. 1327] I can do to attend to the affairs of the Brother-hood of Railroad Trainmen, and I am paid well enough for it.

Q. But you did leave your card with him? A. Yes, sir, I have left my card with a lot of people.

Q. And you wrote Al Rives' name on the back of it? A.

I don't deny that, I think I did.

Q. Mr. Byington, you said you did offer to take this lady and her mother to Birmingham? A. That is true and correct, every syllable.

Q. And if you took them to Birmingham it was to see Al

Rives, wasn't it? A. Yes, sir.

Q. And you were to pay the expenses? A. No, sir. The Brotherhood of Railroad Trainmen general grievance committee of the Central of Georgia railrod would pay them, they would reimburse me for any expense I had in connection with carrying them over there.

Q. And Al Rives would pay you for bringing them, wouldn't he? A. That's a lie. Al Rives has never paid me one nickel, nor has any other lawyer paid me a niclel.

Q. You deny that you told this lady that you would let her have money to live on? A. I certainly do deny it, because I don't have that kind of money, because the notes on that Cadillac keeps me busy.

Q. Al Rives has that kind of money, doesn't he? A. I

don't know what Al has got, I haven't asked him.

Q. You are on a first-name basis with him, aren't you, At and Grady? A. I don't quite understand what you mean.

Q. You call him Al, don't you? A. Yes, he belongs to the Brotherhood of Railroad Trainmen. He is a fraternal brother.

Q. And he has that kind of money? A. I don't know what he has got, I don't know whether he has got one thousand dollars or one hundred thousand or one million.

Q. Have you talked to him about this case? A. Yes, sir, I have talked to him about it.

Q. Is he over here! A. No, he is not.

Q. Is he in Alabama? A. I don't know where he is.

Q. As far as you know he is in Alabama, isn't he! A

I don't know where he is; he could be in Kalamazoo for all I know.

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[fol. 1328] Q. He is certainly not in the state of Georgia, is he? A. No, I don't know where he is. He would have been here if I had insisted on him to come, but I told him that I believed the preponderance of right would prevail, and I had no fear of facing the jury.

Q. Let me ask you this: You testified on direct examination that you told this lady not to do anything until she had had I believe you phrased it as competent counsel from some reliable person, I believe that's what you said? A. I can't from memory remember the exact language that

I used in that letter.

Q. I am not speaking of the letter, I am speaking of your direct examination, a few minutes ago, I believe you told Mr. Kilpatrick in your direct examination that you told her that she wasn't to do anything until she had competent counsel from some reliable person? A. That's about right.

Q. And that good reliable person was you, wasn't it? A. No, sir, that's above my ability, because I am not in the

law profession.

Q. May I quote this to you: You wrote this letter? Yes. o

Q. "In all probability you will receive some visitation"-A. Read it all, don't digress it so that the people will get-

The Court: Wait just a moment, Mr. Byington, let counsel ask the question. Go ahead.

Q. "In all probability you will receive some visitation from company representatives who claim to be very sympathetic and who may offer a settlement that they claim to be proper and reasonable. Also, there are chances that attorneys of the legal profession who have heard of the case may offer their services to you, and in this respect may I suggest that no consideration be given them, or at least no statements by you, until you have had the explanation as to your rights that I plan to bring you in person." A. That is true and correct, because I wanted to explain, as I did, that under the Federal Employees Liability Act,

which railrad employees come under, they don't come under workmen's compensation rules, and because of the hazard occupation, Congress, an enactment of Congress, made that law, because there were certain things, safety devices and all that stuff, that if it could be proven that the carrier had failed to comply with, it would certainly add weight to her case.

[fol. 1329] Q. Mr. Byington, who is the regional counsel for the Brotherhood of Railroad Trainmen for the state of Georgia? A. Again, I would like to say that with respect to the state of Georgia, it is not, as you put it earlier today, if it is it is not my understanding, these people have a right to go to any lawyer they want to, whether he is a member of the Brotherhood or not.

Mr. Gammon: I would like to object to the answer as not responsive. I asked the question who was re-

gional counsel for the state of Georgia.

The Witness: There is no direct lawyer who is regional counsel for the state of Georgia exclusively, because those people who are regional counsel, there are many times that the one that you say is regional counsel for the Brotherhood, he handles claims for Florida, North Carolina, South Carolina, or anywhere else. We don't have 48 recognized counsel, or 50 as the states are now.

The Court': What you are saying is that Georgia is not a region, is that your answer?

The Witness: Not Georgia in itself.

Q. There is no other designated regional counsel in the state of Georgia except Lewis & Lewis of Atlanta, Georgia, is there? A. I am trying to think. Our attorney who is present with me now is not shown in the directory, but he is appointed by the Brotherhood of Railroad Trainmen. He handles a lot of stuff for the Brotherhood.

Q. Is he a regional counsel? A. Well, no, he is not a

regional counsel.

Q. Mr. Byington, do you know Mr. Jack Thomas? A. If it's the Thomas I am thinking of, I think I know him.

Q. He is a former switchman of the Seaboard Air Line Railway, of Savannah, Georgia† A. That is true and correct.

Q. He was injured in an accident on the Seaboard on

March 1, 1955? A. I don't remember the date.

Q. Did you not contact him and propose to him that he go to Al Rives in Birmingham, Alabama, for his case, and is he not a member of another organization and not a member of the Brotherhood of Railroad Trainmen! A. He is a member of the Brotherhood of Railroad Trainmen.

Q. On the Central of Georgia? A. No, on the Seaboard.

[fol. 1330] You said he wasn't a member of the Brother-hood. He is a member of the Brotherhood of Railroad Trainmen, but an engineer on the Central of Georgia railroad brought that man to my room in the Manger Hotel, and talked to me, and I told him to go see Tom Lewis in Atlanta, or to go to Birmingham, Alabama, either one he wanted to do.

Q. Then it is your habit to refer people to lawyers, isn't it? A. Listen, they ask me for advice. I don't know of any law to preclude me from telling a man, if he asks me, comes to my hotel, I had never seen the man before in my life. He had a brother that was a switchman that worked for the Central of Georgia, and I knew him, but I had never before, until the day that man came to my room, seen him before, and I didn't go out hunting him or seeking him.

Q. Do you know a man by the name of E. P. Robinson!

A. Yes, sir.

Q. He resides in Eufala, Alabama? A. Yes, sir. He is a member of the Brotherhood of Railroad Trainmen and belongs to the lidge in Macon, Georgia, John B. Gordon Lodge No. 376.

Q. And you took him to Birmingham? A. I positively

did not. I met him in Birmingham.

Q. You went with him to the lawyer's office? A. I did. He is a member of the Brotherhood. At the same time I went with Mr. E. C. Robinson I carried Mr. Frank Gatty up there also, who also had a personal injury, and he went along with us. They asked me to meet them over there and

go with them, and I think it was my responsibility to do it,

and they both went there.

Q. I believe you say these are the only two letters that you received from Mrs. Betty Ann Queen Doeg! A. If there were other letters they must have gotten misplaced at the office.

Q. These were received? A. Yes, they were received in

my office.

Q. Do you recall the testimony that you told her that you would be the one to pay her? A. I recall her testimony, but she either misunderstood what I told her, or else she

prevaricated on the facts.

Q. This letter of July 27 which you read a few moments ago, "I would like for you to come and settle this with me without having to go and talking to the law or having to go to court, I would like for you to come as soon as you can, because I need some money." Isn't that a fair response to your statement, "I will be the one to pay you"? A. I.

[fol. 1331] would not consider it as such, because she was in financial need of money, I think she meant without going to see a lawyer and just left out the "-er" on there, because she spelled "need," "kneed," "kneeds" some money, and I remember that because I remember my secretary saying, "Look how she spells 'need.'"

Q. It was obvious that she expected you to pay her some money though, wasn't it? A. No, sir, I wouldn't construe it as such. If she had any such idea in the back of her head, she sure was wrong, because I ain't never paid none of them. I have got all I can do to take care of myself.

Q. You wrote this letter (presenting), didn't you, Mr.

Byington ! A. Yes, sir.

Q. Is there anything in either of those letters which would indicate to you that she wanted you to take her to Birmingham? A. That would be purely an assumption on my part to say that the letter did, yes, it would be an assumption.

Q. It would be a presumption? A. Yes.

Q. Why did you write her, "Dear Mrs. Queen: Circumstances unforeseen have prevented my making the trip"

to Cedartown and Birmingham this week, but in all probability it will be convenient for me to make the trip either Friday or Saturday of next week if convenient to you. Would appreciate advice from you by return mail if next week will be convenient for you to make the trip for the purpose of having an appointment with Mr. Al Rives, our attorney in Birmingham"? A. I don't deny writing that letter. Look at the date of it and the date of hers.

Recess until 9 A.M., July 12, 1961.

GERALD F. GRIFFIN, sworn for the defendant, testified:

Q. Where do you live! A. I live at 324 Girard Avenue.

Q. What is your occupation? A. I am'a conductor and trainman on the Central of Georgia railroad.

Q. How long have you been working with them? A.

Almost 17 years.

Q. Are you a member of the Brotherhood of Railroad Trainment A. Yes, sir.

Q. Do you hold an office with that group? A. Yes, sir.

Q. What is that office? A. I am secretary and treasurer.

[fol. 1332] Q. Do you recall June 24, 1959? A. Yes, sir. Q. What do you recall about that? A. That was the day Jimmy Queen was killed in Summerville, Georgia.

Q. Was he an employee of the Central of Georgia rail-

road? A. Yes, he was a trainman.

Q. Was he or not a member of the Brotherhood? A. Yes, he was.

Q. How long had he been a member, do you recall?

No, I don't, not exactly.

Q. Now, what are some of the duties that you have as secretary of the Brotherhood in cases of the death/or injury of a person? A. I make out a report and send a copy of it to the general chairman, and the main lodge in Cleveland, Ohio.

Q. Who is the general chairman? A. Mr. Byington.

Q. Is this (presenting) a copy of the report that you

made in this case! A. Yes, it is.

Q. And it just merely sets out the name of the employee and the fact of his death and a copy had been sent to Mr. Byington, is that correct? A. That is correct,

Q. Now, after Mr. Queen's death had been found out by you, what did you do besides make the report? A. Well, after I found out about it I was called from the office and asked to notify his wife, and, knowing her condition at the time, I didn't go directly to her, I contacted her brother in Cedartown at a service station and got him to go and tell her.

Q. That was Mrs. Queen? A. Yes, and that night I called the general chairman, which it is customary to do in cases of injury, and notified him of the death of Jimmy. He was in Savannah, Georgia, and he said he was sorry he couldn't come up, and to send flowers in his behalf when I ordered flowers from the lodge.

Q. Does he usually attend the funeral of a deceased?

A. Yes, as far as I know.

Q. Did you later talk to Mrs. Queen? A. No, I don't think I ever talked to her, I don't remember talking to her.

Q. Do you know whether or not Mr. Byington came later to see Mrs. Queen? A. No—well, I didn't see him myself. Parker Whitfield came up later after the funeral, I didn't see him myself.

[fol. 1333] Q. The Brotherhood, is that the bargaining agent for the employees of the Central of Georgia railroad between the employees and the railroad! A. Yes, sir.

Cross examination.

Q. Do you know an employee of the Central of Georgia by the name of J. D. Stewart? A. Yes, sir.

Q. What is his job? A. He is a car inspector.

Q. He is not a member of the Brotherhood of Railroad Trainmen? A. No, sir.

Mr. Kilpatrick: I tender in evidence defendant's exhibits A, B, C and whatever the next numbers are. I would like to introduce the two letters and the Constitution of the Brotherhood, and the report of the death of Mr. Queen.

Sol.-Gen.: No objection.

Defendant rests.

J. D. STEWART, sworn for the state, testified:

Q. You are Mr. J. D. Stewart? A. Yes, sir.

Q. Where do you live? A. I live on Franklin Street.

Q. Is that here in Cedartown? A. Yes, it is outside the city.

Q. Where are you employed? A. I am a carman, Central

of Georgia railroad, Chattanooga, Tennessee.

Q. How long have you been employed by the Central of Georgia! A. I have been with the Central the last time since 1945.

Q. Where has been your place of employment for the past several years? A. Well, to go back, I first started in Macon and worked there until '49, then I came to Cedartown and worked until they shut the shop down, and I was in an automobile accident and took off for a while and went back to work and they transferred me to Chattanooga, Tennessee.

Q. How long have you been working in Tennessee? A.

I don't recall exactly.

Q. Were you injured on duty with the Central of Georgia railroad? A. Yes, sir.

Mr. Kilpatrick: I fail to see any relevancy in the questioning of this witness on rebuttal. They have put in their evidence, and they are entitled to rebuttal testi-

[fol. 1334] mony to any of the witnesses that the defendant has put up, but in this case I assume what he intends to do is to attempt to show contacts that Mr. Byington made with other people. I submit that there is a charge made here against the defendant, one charge; he is not charged with everything that may have occurred from the time he began work with the Brotherhood. We submit that any question or any evidence in connection with any act, the questions he is asking, and the questions he asked yesterday, was intended purely to intimate to the jury that he had sought other people out. We request the court to strike all the evidence of yesterday that was put in regarding any contact with any other person, and to disallow any further proof in connection with that, because certainly

no person is charged—the charge against Mr. Byington is seeking out Mrs. Queen and urging her to bring suit against the railroad, and we are not prepared to come up here today and bring in all these defenses. We are prepared to defend the charge that is on trial. We contend that all this testimony, the questions Mr. Gammon has asked, are simply for the purpose of intimating to the jury that Mr. Byington has contacted not only Mrs. Queen but other people, and I think that alone is subject for a mistrial and I ask the court for a mistrial.

The Court: I overrule the motion for a mistrial, and overrule the motion to exclude the testimony.

Q. Do you remember the question?

The Court: He asked you if you were injured while on duty with the railroad.

The Witness: On May 23, 1959.

Q. Where were you injured? A. At the Chattanooga yard, at somewhere around 10 o'clock at night.

Q. Were you placed in a hospital? A. Yes, sir.

Q. Where were you placed in a hospital? A. At the Erlanger Hospital.

Q. That is located where? A. In Chattanooga.

Q. How long did you stay in the hospital? A., About a week or a little more, I am not positive, because I didn't keep up with the dates.

The Court: I don't think that is relevant. Get down to the point you want to prove. It doesn't make any difference how long he stayed in the hospital.

Q. Were you transferred to the hospital in Savannah, Georgiat A. Yes, sir.

Q. While you were in the hospital in Savannah did you receive a visit from Mr. Byington?

Mr. Kilpatrick: I submit that is a leading question.
Mr. Gammon: I withdraw it.

[fol. 1335] Q. Do you recall a visit from any other person besides your relatives while you were in the hospital? A.

Grady Byington came to see me about two weeks, three or four weeks, I am not positive about the dates, he came to see me and talked with me and asked me if I was going to get a lawyer, to let him have the case, that he could get me a lot of money. I told him I had no intention of hiring a lawyer.

Q. Did you know Mr. Byington was coming? A. No. sir.

Q. Did you invite him? A. No, sir.

Q. Did he mention any particular attorney? A. The only thing he mentioned was a lawyer in Birmingham, I didn't get his name.

Q. Did he leave anything with you? A. Yes, he left me his card and told me if I decided to get a lawyer, to let him

handle the case.

Q. Did he put anything on that card? A. I don't think so, I am not positive, I didn't pay any attention to the card except stuck it in my pocket.

Q. Who else was present when this conversation took

place? A. My wife.

Q. Where is your wife today? A. She is at home sick. She just got out of the hospital yesterday afternoon.

Q. You are not a member of the Brotherhood of Railroad Trainmen! A. No, sir.

Cross examination.

Mr. Kilpatrick: Any cross-examination of this witness of course is subject to our objection to his testimony being in this case. We will proceed to the crossexamination subject to those objections.

Q. How long have you known Mr. Byington? A. I have known him a good many years.

Q. In fact you and he lived in the same town, is that correct? A. Yes.

Q. You went to the same school? A. Yes.

Q. And you probably went to work for the railroad about the same time, is that correct? A. I think I went to work before he did, in 1923, to be exact.

Q. Now, you were in the hospital, that was the hospital

of the Central of Georgia railroad? A. Yes, sir.

Q. You were a member of one of the craft unions of the

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[fol. 1336] railroad, you understand there are more than one craft? A. That's right.

Q. In fact there are some 21 of them, and did you know whether or not Mr. Byington was on the hospital committee of the Railroad Trainmen at that time! A. No, sir.

Q. You have had numbers of contacts with Mr. Byington during the years of your employment, haven't you! A.

Very few.

Q. I will ask you this, did you see him in the hospital other than on this occasion that you spoke of? A. Not before then, no, sir.

Q. Were you in a room by yourself, or was there someone with you? A. I believe I was in the room with some-

one else.

Q. But you don't recall who that was? A. No, I couldn't tell you who it was.

Q. How long were you in the hospital? A. Off and on

about a year.

Q. Isn't it true that Mr. Byington met you in the hall on the occasion that you speak of, when he first met you you were in the hall and he run into you and spoke to you? A. No, sir, the first time he came in the room.

Q. And what did he say to you? A. He spoke to me,

just ordinarily.

Q. You had known him a long time? A. Yes.

Q. Had you been contacted by the claim agent of the Central of Georgia railroad after that date? A. Yes, sir.

Q. And you were questioned about the fact of whether or not Mr. Byington had been in to speak to you, hadn't you? A. At that time no, sir, nobody had ever questioned me about Mr. Byington.

Q. The claim agent for the railroad didn't ask you any questions as to whether or not Mr. Byington had been to

visit you in the hospital? A. No, sir, not then.

Q. It was a great deal later, but they did ask you about it! A. Not at the hospital.

Q. But they did ask you later that day? A. No, I am not positive.

Q. In fact you were making a claim against the railroad at this time, were you not? A. I had no intention whatsoever about a claim against the railroad; the agents nor none of them hadn't contacted me at all.

Q. You did make a claim against the railroad, did you

not? A. No. sir.

Q. You did not make a claim against the railroad? A. No, sir, I didn't have any grounds to make one.

[fol. 1337] Q. Now, did a claim man from the Association of American Railroads come and get a statement from you about this? A. Well, no. The only man that ever came to see me was a Mr. Eaves.

Q. You know Mr. Eaves? A. Yes, sir.

Q. Do you know with whom he worked? A. I knew later.

Q. He is with the Association of American Railroads, is that right? A. I reckon so.

Q. And he took your statement? A. Yes.

Q. And in that statement you told about what you have told now! A. Yes.

Q. That Mr. Byington had been trying to get you to file a lawsuit? A. That's right.

Q. And he took your wife's statement? A. That's right, in my home.

State rests.

Mr. Kilpatrick: At this time the defendant moves for a directed verdict of not guilty in his favor, on this evidence. The defendant has prepared a written motion setting out grounds one through five. I will just say at this time the defendant does not feel that there is sufficient evidence in this case to go to the jury, because the charge in the case is that the defendant is charged with seeking out Mrs. Queen and arging her to pursue a suit in tort against the Central of Georgia Railroad. We contend that there is barely if any evidence to support that contention of the state. The burden is on the state to prove the case as laid, and we contend that that is not the case here, and we move for a directed verdict in favor of the defendant.

The Court: I overrule the motion.

During Mr. Winn's argument to the jury,

Mr. Kilpatrick: I object to the argument as to how an indictment is brought and the fact that the grand jury has charge of that. It is not evidence and the indictment itself it not evidence, and there is no conclusion to be drawn from it as to how it came into court.

The Court: I sustain the objection.

During Mr. Gammon's argument to the jury,

Mr. Kilpatrick: I object to that argument. This defendant is not charged with anything in connection with Mr. Rives. I think he ought to be confined to the evidence.

The Court: I sustain the objection. Confine yourself to the evidence, direct and cross-examination.

[fol. 1338] Later during Mr. Gammon's argument to the jury,

Mr. Sell: Counsel keeps mentioning Mr. Stewart. That is highly prejudicial argument and highly improper, and I move the court for a mistrial.

The Court: I overrule the motion for a mistrial.

I, T. L. Williams, official reporter for the City Court of Polk County, certify that the foregoing 49 pages are an exact copy, made by the same stroke of the typewriter, of a transcript of the evidence adduced on the trial of the case stated on the first page hereof.

This 6th day of October, A.D. 1961.

/8/ T. L. WILLIAMS
Official Reporter, City
Court of Polk County.

GROBGIA, POLK COUNTY.

I, F. L. Hagan, Clerk of the City Court of Polk County Georgia, the same being a Court of Record and having a seal, hereby certify that the Hon. Olin T. Flournoy is the duly elected, qualified and presiding Judge of the City Court of Polk County, Georgia.

IN WITHERS WHEREOF, I have hereunto set my hand and seal of office, this the 6th day of October, 1961.

Clerk of the City Court of Polk County, Ga.

[SEAL]

GROBGIA, POLK COUNTY.

I, OLIN T. FLOURNOY, the duly elected, qualified and presiding Judge of the City Court of Polk County, Georgia, hereby certify that F. L. Hagan is the duly elected, qualified and serving in his official capacity as CLERK of the City Court of Polk County, Georgia.

In WITNESS WHEREOF, I have hereunto set my hand and seal, this the 6th day of October, 1961.

Judge City Court of Polk County, Ga.

[SEAL]

[fol. 1339]

GEORGIA, POLK COUNTY.

I; OLIN T. FLOURNOY, Judge of the City Court of Polk County, Georgia, being duly elected and qualified and the presiding Judge of said County, hereby certify that T. L. Williams is the official Court Reporter of the City Court of Polk County, Georgia, and serves as such under appointment of the Judge of said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and official signature, this the 6th day of October, 1961.

/s/ OLIN T. FLOURNOY

Judge City Court of Polk County, Georgia.

[SEAL]

GEORGIA, POLK COUNTY.

I, F. L. HAGAN, Clerk of the City Court of Polk County, Georgia, the same being a Court of Record and having a seal, hereby certify that T. L. Williams is the official court reporter of the City Court of Polk County, Georgia, and now is and has been, for some forty years.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 6th day of October, 1961.

/s/ F. L. HAGAN Clerk of the City Court of Polk Co., Georgia.

girand

SUPREME COURT OF THE UNITED STATES

No. 583, October Term, 1962

BROTHERHOOD OF RAILBOAD TRAINMEN, Petitioner,

VIRGINIA ex rel. VIRGINIA STATE BAR

ORDER ALLOWING CERTIORARI February 18, 1963

The petition herein for a writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia is granted.

And it is further ordered that the duly cartified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.